

This template is an example that may be used for the submission of a request for a waiver of the requirement noted below. Note that the Department will accept, process, and approve any complete waiver request; for assistance please contact 21stCCLC@ed.gov. The Department plans to respond in an expedited manner to a State educational agency that follows this example and provides all necessary information in an accessible way.

The Honorable Frank T. Brogan  
Assistant Secretary for Elementary and Secondary Education  
Office of Elementary and Secondary Education  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202

Dear Assistant Secretary Brogan:

I am writing to request a waiver on behalf of the State educational agency (SEA) and its subgrantees, pursuant to section 8401 of the Elementary and Secondary Education Act of 1965 (ESEA), of the requirement in ESEA section 4201(b)(1)(A) that restricts activities provided by a program funded under the Nita M. Lowey 21<sup>st</sup> Century Community Learning Centers program (21<sup>st</sup> CCLC) 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).

State:

I am requesting this waiver to advance student academic achievement by providing academic enrichment activities and other allowable 21<sup>st</sup> CCLC activities during times when school is in session but students would benefit from supplemental resources. This is due to the extraordinary circumstances for which a national emergency has been declared by the President of the United States under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (e.g., when students are not physically present in school but are participating in remote or independent learning due to the disruptions caused by the Novel Coronavirus Disease 2019 (COVID-19)).

In seeking these waivers, I assure that:

- The SEA will use, and ensure that its subgrantees use, 21<sup>st</sup> CCLC funds in accordance with all other provisions of Title IV, Part B of the ESEA and all applicable regulations, program plans, and applications.
- The SEA has provided the public and all local educational agencies in the State with notice of, and the opportunity to comment on, this request in the manner in which the SEA customarily provides such notice and opportunity to comment and has enclosed with this waiver request the comments received (if any) and a description of how the SEA addressed such comments.

Thank you for your consideration.

Sincerely,

[CHIEF STATE SCHOOL OFFICER]

### **Public Burden Statement**

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. The valid OMB control number for this information collection is 1810-NEW. Public reporting burden for this collection of information is estimated to average three hours per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The obligation to respond to this collection is required to retain or obtain benefits under 401 [20 U.S.C.7861] of the Elementary and Secondary Education Act, as reauthorized by the Every Student Succeeds Act (ESSA). If you have any comments concerning the accuracy of the time estimate, suggestions for improving this individual collection, or if you have comments or concerns regarding the status of your individual form, application or survey, please contact the 21st CCLC Program Office, 400 Maryland Avenue, SW, LBJ-Room 3W246, Washington, DC, 20202 or [OESE.21CCLC@ed.gov](mailto:OESE.21CCLC@ed.gov)