



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

August 12, 2024

The Honorable Kevin Dehmer
Acting Commissioner
New Jersey Department of Education
PO Box 500
Trenton, NJ 08625

Dear Commissioner Dehmer:

I am writing in response to New Jersey's request on July 5, 2024, that the U.S. Department of Education (Department) waive section 421(b) of the General Education Provisions Act to extend the period of availability of State administrative funds that the State consolidates under section 8201 of the Elementary and Secondary Education Act of 1965 (ESEA) through March 31, 2026.

Specifically, New Jersey's request to waive the period of availability of consolidated State administrative funds under ESEA section 8201 includes State administrative funds from the following programs:

- American Rescue Plan Elementary and Secondary School Emergency Relief Fund (S425U210027)
- American Rescue Plan Homeless, Children and Youth (S425W210031)
- Federal fiscal Year (FY) 2022 Title I, Part A of the ESEA (Improving Basic Programs Operated by local educational agencies (LEAs), S010A230030)
- FY 2022 Title I, Part C of the ESEA (Education of Migratory Children, S011A220030)
- FY 2022 Title I, Part D, Subpart 1 of the ESEA (Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent, or At Risk, S013A220030)
- FY 2022 Title II, Part A of the ESEA (Supporting Effective Instruction, S367A220029)
- FY 2022 Title III, Part A of the ESEA (English Language Acquisition, Language Enhancement, and Academic Achievement, S365A220030)
- FY 2022 Title IV, Part A of the ESEA (Student Support and Academic Enrichment Grants, S424A220031)
- FY 2022 Title IV, Part B of the ESEA (21st Century Community Learning Centers, S287C220030)
- FY 2022 Title V, Part B, Subpart 2 of the ESEA (Rural and Low-Income School Program, S358B220030)

After reviewing New Jersey's request and consulting with the Office of English Language Acquisition, I have determined that the request meets the requirements in ESEA section 8401. Accordingly, I am pleased to approve a waiver of the period of availability of New Jersey's ESEA section 8201 consolidated State administrative funds (comprised of State administrative funds from the programs listed above) through March 31, 2026.

400 MARYLAND AVE., SW, WASHINGTON, DC 20202
<http://www.ed.gov/>

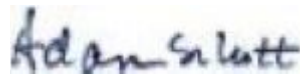
The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

As part of this waiver request, New Jersey assured that the New Jersey Department of Education will use consolidated administrative funds under the respective programs listed above in accordance with the provisions of all applicable statutes, regulations, program plans, and applications not subject to these waivers. Additionally, New Jersey provided the public and all LEAs in the State with notice of, and the opportunity to comment on, this request in the manner in which New Jersey customarily provides such notice and opportunity to comment and enclosed with the waiver request any comments received and a description of how the State addressed such comments.

As a reminder, this waiver is limited to consolidated State administrative funds. A State may not obligate ARP programmatic funds or FY 2022 ESEA programmatic funds after September 30, 2024. Additionally, the State may not use consolidated State administrative funds for the management of, and reporting on, reverted EANS funds.

Thank you for the work you are doing to support our students in New Jersey. If you have any questions about the approval of this waiver, please contact the program officer, Darienne A. Feres-Merchant, at NewJersey.OESE@ed.gov.

Sincerely,



Adam Schott
Principal Deputy Assistant Secretary
Delegated the Authority to Perform the
Functions and Duties of the Assistant Secretary
Office of Elementary and Secondary Education

cc: Kathleen Ehling, Assistant Commissioner, New Jersey Department of Education
Leslie Franks-McRae, State Director, New Jersey Department of Education