

ED Response to Comments Recommending Changes to the Title I, Part A Waiver Guidance

General response to comments: ED appreciates the comments that it received and thanks the commenters for sharing their perspectives. The table below summarizes the comments received and provides our response.

Summary of Comment(s)	ED Response	ED Rationale
<i>ED received a series of comments from one entity asking that ED give more emphasis on how a local educational agency (LEA) can apply for a waiver directly from ED.</i>	No change.	As reflected in the guidance, the Secretary is specifically inviting State educational agencies (SEAs) to request certain waivers that will benefit their LEAs. As stated in A-13 of the Guidance, although the Secretary is specifically inviting SEAs to request waivers of certain provisions, except as indicated in section 9401(c), an SEA, LEA, school (through its LEA) or Indian tribe that receives Title I, Part A funds may request a waiver of any Title I, Part A statutory or regulatory requirement.
<i>ED received a number of comments suggesting that ED change information in the guidance about the requirements for which the Secretary is inviting waiver requests.</i>	No change.	These comments do not relate to the information collection component of the guidance and, therefore, are not addressed further here.
<i>ED received comments about the information an SEA must include in its waiver request and the information an LEA would need to provide to its SEA to benefit from a waiver granted to the SEA.</i>	No change.	As reflected in the guidance, ED has identified the information, consistent with section 9401 of the ESEA, an SEA would need to submit to ED in order to obtain waivers for which the Secretary is specifically inviting requests. The guidance also specifies what information an LEA will need to provide to its SEA in order to benefit from a waiver granted to the SEA. The information required and the approach for obtaining and benefitting from waivers is consistent with the ESEA and the Secretary's priorities.
<i>ED received a comment suggesting that requests for waivers of the ESEA's maintenance of effort (MOE) requirements should be addressed to the same person as all other waiver requests.</i>	No change	See Question E-9 of the Guidance for the reason for the distinction.