



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE OF CAREER, TECHNICAL, AND ADULT EDUCATION

April 16, 2020

Dear Chief State School Officer:

The President recently signed into law the [Coronavirus Aid, Relief, and Economic Security Act \(CARES Act\)](#), Pub. L. No. 116-136, 134 Stat. 281 (March 27, 2020), which provides substantial relief to students and educators who have been profoundly affected by the Novel Coronavirus Disease (COVID-19). I understand that many of you have questions about the CARES Act, including the funding the Act makes available. In this regard, the U.S. Department of Education (Department) will be providing additional information to you as soon as possible. In the interim, you are welcome to submit CARES Act questions by email to [COVID-19@ed.gov](mailto:COVID-19@ed.gov).

You recently received a communication from Frank T. Brogan, Assistant Secretary for Elementary and Secondary Education, about the waivers that the CARES Act authorizes the Secretary of Education (Secretary) to grant with respect to programs authorized by the Elementary and Secondary Education Act of 1965. I am writing to let you know that the CARES Act also authorizes the Secretary to grant waivers requested by State educational agencies (SEAs) of section 421(b) of the General Education Provisions Act (GEPA), often referred to as the “Tydings Amendment,” to extend the period of availability of State formula grant funds authorized by the Carl D. Perkins Career and Technical Education Act of 2006 (Perkins Act) and the Adult Education and Family Literacy Act (AEFLA). (The Department currently does not have the authority to grant a waiver of the Tydings Amendment with respect to the Perkins Act or AEFLA to States in which the SEA is not the grantee for these State-administered programs.). We understand that the disruptions caused by COVID-19 may make it difficult for SEAs and their subgrantees to obligate their Fiscal Year (FY) 2018 funds within the 27 months provided by section 421(b) of GEPA. If this is a concern for your State, I invite you to request a waiver or waivers to extend the availability of these funds for obligation by sending your request to [AskOCTAE@ed.gov](mailto:AskOCTAE@ed.gov). I am enclosing a streamlined template for your convenience that you may use to request these waivers. My staff is committed to providing a response within one business day to any SEA that submits a waiver request using this optional waiver template.

If you have additional questions or concerns regarding these waivers, contact us at [AskOCTAE@ed.gov](mailto:AskOCTAE@ed.gov). We are also interested in your input on other requirements related to the Perkins Act or AEFLA for which you anticipate a need for a waiver that are not currently covered by the CARES Act. If you have suggestions, please submit those to [AskOCTAE@ed.gov](mailto:AskOCTAE@ed.gov). If you have general questions regarding COVID-19 and how the Department can best support you, please contact [COVID-19@ed.gov](mailto:COVID-19@ed.gov). I encourage you to continue to monitor information regarding COVID-19 from the Centers for Disease

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[www.ed.gov](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.*

Control and Prevention at [www.cdc.gov/coronavirus/](http://www.cdc.gov/coronavirus/) and at our website, [www.ed.gov/coronavirus](http://www.ed.gov/coronavirus).

I want to thank you for the work you are doing to help ensure learning continues for all your State's students in this difficult time. The Department is committed to supporting you with every tool at our disposal and extending all flexibilities within our control.

Sincerely,

/s/

Scott Stump

Assistant Secretary

Enclosure

cc: State Directors of Adult Education  
State Directors of Career and Technical Education  
Council of Chief State School Officers  
Advance CTE  
National Association of State Directors of Adult Education