



STATE OF NEW JERSEY

DEPARTMENT OF EDUCATION

A Memo from the New Jersey Department of Education

Date: June 5, 2024
To: Local Educational Agency Leads
Route To: ESEA Directors, LEA and School Administrators, Staff Involved with the Coordination of ESEA Programs
From: Kathy Ehling, Assistant Commissioner
Division of Educational Services
Secil Onat, Assistant Commissioner
Division of Finance & Business Services
Deadline: June 19, 2024

Invitation for Public Comment on the Tydings Amendment Waiver Request

The U.S. Department of Education (USED) has notified State Educational Agencies of the opportunity to seek a waiver to extend the period of availability of State administrative funds under the American Rescue Plan Elementary and Secondary School Emergency Relief (ARP ESSER), Homeless Children and Youth (ARP HCY), and Elementary and Secondary Education Act (ESEA) ("Tydings Amendment Waiver"). The New Jersey Department of Education (NJDOE) intends to apply. As part of this waiver process, the NJDOE is seeking 14 days of public comment from June 5, 2024, to June 19, 2024, on the waiver request.

Specifically, the NJDOE is seeking a waiver of section 421(b) of the General Education Provisions Act, which will extend the period of availability of administrative funds consolidated under ESEA section 8201. This waiver will allow New Jersey to consolidate ARP ESSER and ARP HCY program administration funds with its ESEA administrative funds and use this consolidated funding to address NJDOE's administrative costs, including those associated with ARP reporting, monitoring, and close-out activities, through March 31, 2026.

Public Comment Process

The NJDOE invites all members of the public to review the [waiver request](#) and submit comments to ARPESSErTydingsWaiver@doe.nj.gov by **June 19, 2024, by 5 p.m.** Additional information is available on the NJDOE's [ARP ESSER website](#). Following this public comment period, the NJDOE will submit the waiver request to USED.

c: Members, State Board of Education
NJDOE Staff
Statewide Parent Advocacy Network
Garden State Coalition of Schools
NJ LEE Group