ESEA Federal Program FY27 Waivers for FY26 Funds

Overview

The U.S. Department of Education (ED) authorizes the Tennessee Department of Education (department) to issue waivers for certain state and federal regulations associated with the Elementary and Secondary Education Act of 1965 (ESEA). A *Federal Program Waiver Request* instrument has been developed in ePlan to streamline and standardize the waiver request process.

When a waiver becomes available, stakeholders will be notified through email as well as through announcements in various department newsletters and the ePlan homepage. Local educational agencies (LEAs) can follow the steps below to submit a Federal Program Waiver Request. This document outlines the **FY27** waivers that are currently available for **fiscal year 2026 (FY26)** funds (funds for the **2025-26** school year) and how LEAs can access the waiver in ePlan.

Available Waivers

Waiver to Carry Over Excess Title I, Part A Funds

Under the General Education Provisions Act (GEPA) § 421(b) , LEAs are allowed to carry over only **15 percent** of the current year **Title I, Part A** allocation to be used in the subsequent school year. Note that Title I, Part A -Neglected funds and funds transferred to Title I, Part A are also included within this 15 percent limit. If the carryover funds exceed the allowed percentage, an LEA may opt to request a waiver to keep the excess carryover funds once every three years (ESEA § 1127). If the LEA receives a waiver, the excess carryover can be spent during the following school year. LEAs who receive an **FY27** waiver for **FY26** funds may not receive this waiver again until **FY30** for **FY29** funds.

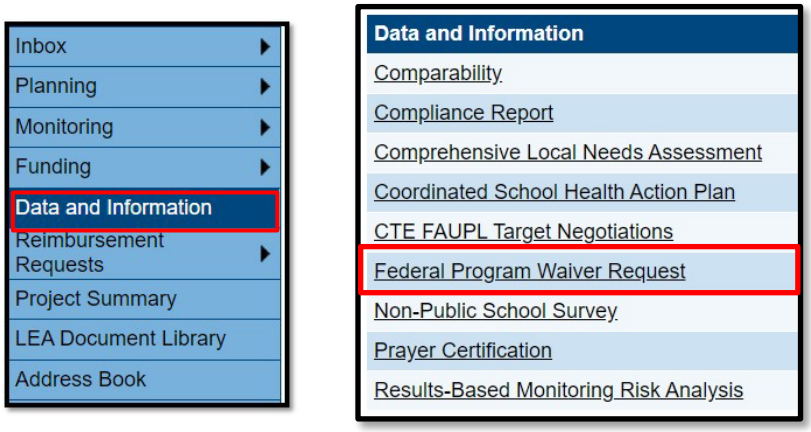
Waiver to Carry Over Excess Title I, Part D Funds

LEAs are allowed to carry over only **15 percent** of the current year **Title I, Part D** allocation to be used in the subsequent school year. If the carryover funds exceed the allowed percentage, an LEA may opt to request a waiver to keep the excess carryover funds once every three years. If the LEA receives a waiver, the excess carryover can be spent during the following school year. LEAs who receive an **FY27** waiver for **FY26** funds may not receive this waiver again until **FY30** for **FY29** funds.

Federal Program Waiver Request ePlan Instructions

- ePlan users who are assigned the ***LEA Federal Program Waiver Request Director*** role can work on the waiver request instrument in ePlan. See the LEA's *Address Book* in ePlan to determine who has been assigned this role. Users who had the *LEA Consolidated Director* role on **Aug. 14, 2026**, were automatically assigned the *LEA Federal Program Waiver Request Director* role. To add a new or additional role, complete the ePlan User Access Form for LEAs and submit it according to the directions on the form.
- Navigate to the instrument by selecting **Data and Information** from the main ePlan menu. On the *Data*

and Information page, select **Federal Program Waiver Request**.
***Note**: Select the fiscal year in which the carryover funds will be spent. That is, LEAs must utilize the **FY27** Federal Program Waiver Request instrument for **FY26 (2025-26)** funds because the carryover will move into the **FY27** funding application.*



- To begin the request, click **Draft Started** at the top of the Sections page.

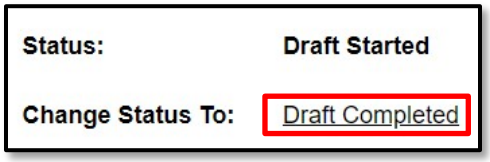


- The *History Log* records status change dates with the name of the user who prompted the change. Use it to review who submitted or reviewed a request or the date when it was last approved or returned.
- Users may place a note in the *History Log* by clicking on the **Create Comment** link. Use *Create Comment* with caution, as comments remain part of the requests' permanent record and are viewable by the public on approved requests.
- To create a comment, click on **Create Comment**. A narrative box appears. The user may type or paste a comment in the narrative box. Once the comment is complete, click *Save and Go To > Current Page* at the top of the screen to save.
- The *Federal Waiver Guidance* page contains helpful information and instructions, including an explanation of waivers that are currently available.
    - Check the box at the bottom of the page to acknowledge the following: *LEAs may only apply for waivers when they are needed for a particular program. If the LEA has not exceeded the amount allowed for carryover, a waiver request should not be submitted.*

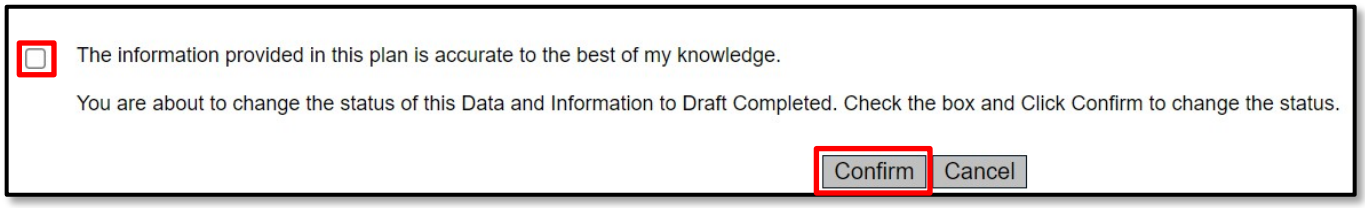
Federal Program Waiver Request Section

- Read and check the box on the *Assurances* page.
- Complete the *Cover Page,* which requests basic LEA contact information. The cover page also includes a table that will show:
    - The **previous waivers** granted to the LEA and
    - The **final status of the current request, after departmental review**
        - When LEAs initially complete the instrument, this column will contain no data. See the screenshot below for an example.
        - Once reviewed by the department, each requested program will be marked as "Not Applicable", "Approved", or "Not Approved".

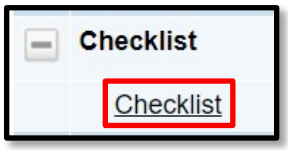
- Each ESEA program with an available waiver has its own page. These programs may include *Title I, Part A; Title I, Part D;* and other programs as applicable[1].
- Click on each program's name to see more details and submit a request.
  Note: *Users are not required to visit pages or complete information if not requesting a waiver for that particular program.*
- On the applicable pages, utilize the checkbox(es) to indicate that the LEA does wish to apply. Once a checkbox has been selected, additional prompts may appear. Certain waiver requests may require additional explanation.
  - As requested, provide a narrative outlining the reason(s) a waiver is needed.
  - As requested, provide a narrative that describes the actions that will be taken in the next fiscal year to ensure funds are utilized in a timely and appropriate manner.
- Repeat this process for all applicable program waivers that the LEA would like to request.
- Once all of the applicable requests have been completed, click **Draft Completed** at the top of the *Sections* page.



- Select the checkbox and click **Confirm** to submit the waiver request to the LEA Authorized Representative.



- Once approved by the LEA Authorized Representative, the waiver request will be sent to the department for review.
  - Waiver requests that have been fully reviewed by the department will be changed to *TDOE Federal Program Waiver Request Director Reviewed* status. **LEAs must check the *Cover Page* to see the status of each requested program.**
  - Waiver requests that need revisions will be changed to *TDOE Federal Program Waiver Request Director Returned with Feedback* status. **LEAs must review the *Checklist* for checklist comments from request reviewers.** Requests will be marked as "Not Approved" on the *Cover Page* until the requested revisions are submitted.



Checklist

LEAs must review the *Checklist* for general checklist comments from request reviewers.

[1] The LEA's program balances applicable for carryover restrictions may be accessed in the **FY27** *Carryover and Expiring Funds* data and information instrument in ePlan.