

November 13, 2024

Implementation of Approved Consolidated Administrative Funds Tydings Waivers

Greetings, grantees -

The U.S. Department of Education (Department) continues to receive and review requests for a waiver of section 421(b) of the General Education Provisions Act to extend the period of availability of a State educational agency's (SEA) administrative funds consolidated under section 8201 of the Elementary and Secondary Education Act of 1965 (ESEA). We have been pleased to approve 27 State requests as of November 13, 2024, and stand ready to support additional States in pursuing this flexibility.

The Department has received common questions from grantees about the implementation of approved Tydings waivers for consolidated State administrative funds and is providing the following in response.

Implementation of Consolidated State Administrative Funds Tydings Waiver:

- Only State-level administrative funds may be obligated during the extended period of availability. An approved waiver extends the period of availability of consolidated administrative funds under ESEA section 8201 for requesting SEAs that consolidate at least one eligible program from the ESEA and at least one eligible program from the American Rescue Plan (ARP) Act to help States best leverage existing funding sources to carry out critical program administrative tasks. A grantee may continue to obligate State-level ARP administrative funds that it consolidates under ESEA section 8201 for the programs included in its approved waiver through the date included in its request (generally, March 31, 2026).
- Pursuant to 2 CFR 200.344(c), a grantee then has 120 additional days to finalize the liquidation of the ARP administrative funds that the State consolidates. For example, if a grantee is approved to obligate consolidated State administrative funds through March 31, 2026, all grants included in the State's Tydings waiver will have a liquidation period ending July 29, 2026.
- For a State that receives a Tydings waiver, the revised end date for liquidating ARP funds that a State consolidates will be reflected in G6.
- Because the Department's G6 system will only reflect the end date for liquidating funds associated with the approved waiver of consolidated State administrative funds, grantees that receive a waiver to extend the period of availability of consolidated State administrative funds will continue liquidations on route payment status after the regulatory liquidation period ends January 30, 2025.

Liquidation of ARP Funds:

- Absent an approved late liquidation extension, ARP *programmatic* funds must be liquidated by January 30, 2025, regardless of whether an SEA received a Tydings waiver to extend the obligation period of consolidated State administrative funds.
- Grantees and subgrantees with approved late liquidation extensions may continue to liquidate ARP program funds through March 28, 2026, consistent with the grantee's approved liquidation extension. As applicable, grantees will be placed on route payment status after the regulatory liquidation period ends January 30, 2025.
- If a grantee has received approval for a consolidated administrative funds Tydings waiver and additionally submits a late liquidation extension request for ARP programmatic funds, the amount of consolidated administrative funds must also be included in the State's request.
- The Department will use regular data verification as detailed in the liquidation extension attestation to monitor implementation of approved ARP late liquidation extensions and Tydings waivers. This may include but is not limited to the provision of updated liquidation data and submission of grantee and subrecipient information for each draw of funds during the extended period.

The Department further reminds States of the following limitations with respect to each ARP program:

- For ARP ESSER, the SEA may not use more than ½ of one percent of its grant award for administrative purposes.
- For ARP EANS, the SEA may not use more than the greater of ½ of one percent of its grant or \$200,000 for administrative purposes.
- For ARP-HCY, the SEA may not use all its State set-aside for the ARP-HCY program administration; the SEA may only use an amount that is necessary and reasonable to administer the ARP-HCY program.

Grantees may continue to submit a Tydings waiver request to extend the period of availability for the SEA's consolidated administrative funds. For additional information, please reference the Department's [April 25, 2024, communication](#) and the associated [Questions and Answers document](#). If you have any questions, please reach out to your program officer through your State mailbox ([*Statename*].OESE@ed.gov).

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Office of State and Grantee Relations