

# Frequently Asked Questions

## COVID-19 Guidance Regarding Neglected & Delinquent Programming

### Neglected & Delinquent Facilities

**1. *Will Neglected & Delinquent facilities need to request a waiver if they are unable to spend their FY20 allocation for the remainder of this spring?***

With the recent extended school closures, the department submitted numerous waivers to give LEAs time and flexibility to reset and reevaluate how to support students moving forward. Waiver requests relating to ESEA grants, which includes Title I, Part A—Neglected and Title I, Part D. These waivers include the following:

- A waiver of ESSA, § 1127(a) that statutorily limits carryover to 15 percent for Title I, Part A funds. This waiver would allow LEAs to carryover a greater percentage of their 2019–20 Title I, Part A funds to use during the 2020–21 school year to meet newly identified needs.
- A waiver to extend the period of performance for an additional 12 months, respectively, for all remaining fiscal year (FY) 2018, FY19, and FY20 grant funds and allowing the additional 90 days for liquidation after the period of performance. To review these waivers in full, please navigate to the department’s COVID-19 webpage.

The Tennessee Department of Education will communicate if and when these waivers are approved by the U.S. Department of Education.

**2. *Will funding continue for schools that have opted to continue operation?***

Yes. Many of the facilities served under Title I, Part A—Neglected and Title I, Part D have opted to remain in session and therefore can continue to access their funding and spend funds on approved purchases.

**3. *Do LEA employees report to work if the facility is still operational?***

Some facilities utilize personnel employed by the LEA and funded through Title I, Part A—Neglected or Title I, Part D funds. The decision of whether these employees report to work is the responsibility of the employer—in this case, that is the local LEA. It is recommended that the LEA consult with their local board attorney, health departments, and school board to make the best possible decision for their staff members. For additional information, please refer to the ***Staffing, Educators, and EPP Resources*** on the departments [Update on Coronavirus](#) webpage.

### Students Placed Through a Physician’s Order in a Treatment Center

**4. *Are LEAs required to reimburse facilities for students placed in a residential treatment center through a physician’s order during this public health emergency?***

If the facility is still providing educational services then LEAs should reimburse based on their school calendar prior to any COVID-19 closure.