



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

April 25, 2024

84.425U – ARP ESSER
84.425V – Reverted ARP EANS
84.425W – ARP-HCY

Dear Colleague,

On behalf of U.S. Secretary of Education Miguel Cardona, thank you for your continued efforts to effectively and urgently invest American Rescue Plan Act (ARP) funds to accelerate academic recovery and achievement and support student well-being. Because of your work, the overwhelming majority of ARP Elementary and Secondary School Emergency Relief (ARP ESSER), ARP Emergency Assistance to Non-Public Schools (ARP EANS), and ARP Homeless Children and Youth (ARP-HCY) funds are on track to be fully obligated by the September 30, 2024, deadline.

However, we know your work to manage these funds does not end there. The largest education investment in our nation's history requires your State educational agency (SEA) to continue to report on uses of funds, conduct ongoing monitoring of your subgrantees, and manage close-out activities. To support your SEA in managing its critical responsibilities to finalize administration of ARP ESSER, ARP EANS, and ARP-HCY, I am writing today to share two updates.

First, the U.S. Department of Education (Department) previously designated ARP ESSER and ARP EANS as programs under which an SEA may consolidate program administration funds pursuant to section 8201(a)(2) of the Elementary and Secondary Education Act of 1965 (ESEA) (see [E-7](#)). **The Department is now extending this same flexibility to program administration funds for ARP-HCY.**

Second, **the Department is inviting States to seek 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.** Specifically, this waiver will allow States with remaining ARP ESSER, EANS, or HCY program administration funds to consolidate such funds with their ESEA administration funds and use this consolidated funding to address all of the SEA's administrative costs, including those associated with ARP reporting, monitoring, and close-out activities, through March 31, 2026. States may opt to consolidate administrative funds using this process even if they had not previously chosen to.

To support States in seeking this waiver, the Office of State and Grantee Relations (SGR) will host an informational webinar on Monday, April 29, at 2:00 p.m. ET. SGR staff will share guidance on sample language that States may utilize or adapt in making a waiver request; outline waiver public comment requirements consistent with ESEA section 8401(b)(3)(A); and review the waiver submission process. To attend the webinar, please register at

<https://intellor.webex.com/weblink/register/rb6be25deb409aeb140be75c5eee6db00>.

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The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

The Department will work closely with States to process complete waiver requests as quickly as possible as States plan for an organized closeout of ARP funds.

The work of SEAs to responsibly manage ARP funding has helped stabilize the educator workforce, fund new personnel and programs to meet students' mental health needs, enable significant expansion of summer and afterschool programs, and improve indoor air quality in thousands of school buildings, among other priorities. We hope the flexibilities we are announcing support you in maintaining effective oversight of these critical projects and continuing to evaluate the impact they have on students' learning and well-being.

Sincerely,

A handwritten signature in blue ink that reads "Adam Schott". The signature is written in a cursive style with a blue ink color.

Adam Schott
Principal Deputy Assistant Secretary
Delegated the Authority to Perform the
Functions and Duties of the Assistant Secretary
Office of Elementary and Secondary Education