



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

MEMORANDUM

DATE: **AUG 9 2010**

TO: Bridget Dooling
Office of Information and Regulatory Affairs
Office of Management and Budget

THROUGH: Kathy Axt
Regulatory Information Management Services
U.S. Department of Education

FROM: Thelma Meléndez de Santa Ana, Ph.D. *TM*
Assistant Secretary for Elementary and Secondary Education
U.S. Department of Education

SUBJECT: Emergency Clearance of Education Jobs Fund Application

The U.S. Department of Education's (ED) Office of Elementary and Secondary Education (OESE) has developed an application for a new program, the Education Jobs Fund (Ed Jobs) program. The Ed Jobs Program will be established in H.R. 1586 and is expected to be signed into law by the President on August 10, 2010. The Ed Jobs program provides \$10,000,000,000 to States to help local educational agencies retain, rehire, recall, or hire teachers and other individuals to provide educational and related services. The Department is requesting approval of the Ed Jobs program grant application so that State governors may apply for these funds.

The Department is requesting that the Office of Management and Budget (OMB) clear the application on an emergency basis. Many states around the nation have been cutting back on education budgets for elementary and secondary education. This is resulting in job losses among teachers and other individuals providing educational and related services and has adversely impacted students. Therefore, it is extremely important that states have access to these funds as soon as possible. Receiving OMB's approval on an emergency basis is essential to awarding Ed Jobs funds quickly.

OESE staff has worked with the Office of General Counsel and other Departmental offices to develop an application that meets the intent and purposes of the Ed Jobs program. Furthermore, using the regular clearance process would put ED well past the 45-day mark for awarding the ED Jobs funds that are specified in the bill, which would clearly go against Congressional intent. In sum, not approving this emergency request would cause harm to many states and the students they serve and would delay ED's ability to award the funds in a timely manner.

The Ed Jobs Fund appears to be a one-time program. Therefore, we expect that the emergency clearance of the application will be needed only for this year.

ED plans to award grants to applicants (State governors) according to a formula based on their relative total population of individuals aged 5 through 24 (61%) and based on their relative total population (39%). ED has calculated state allocations based on available population data. If we are able to obtain emergency approval from OMB, ED intends to make applications available on August 13, 2010, with a rolling application deadline.

ED is requesting OMB approval by August 12, 2010.

Thank you for your prompt consideration of my request. If you have questions, please contact Jim Butler of OESE/AITQ at 202-260-9737 or james.butler@ed.gov.