



MEMORANDUM

DATE: FEB 28 2017

TO: Sharon Mar
Office of Information and Regulatory Affairs
Office of Management and Budget (OMB)

THROUGH: Tomakie Washington
Information Collection Coordinator
Privacy, Information and Records Management Services
U.S. Department of Education (Department)

FROM: Monique M. Chism Ph.D
Acting Assistant Secretary
Office of Elementary and Secondary Education

SUBJECT: Consolidated State Plan Template – Request for Emergency Clearance

This is a request for emergency clearance to collect critical information for the Consolidated State Plan, the instrument through which State educational agencies (SEAs) apply for funding under the following programs:

Elementary and Secondary Education Act of 1965 (ESEA)

Title I, Part A	Improving Basic Programs Operated by Local Educational Agencies
Title I, Part B, Section 1201	Grants for State Assessments and Related Activities
Title I, Part C	Education of Migratory Children
Title I, Part D	Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent, or At-Risk
Title II, Part A	Supporting Effective Instruction
Title III, Part A	English Language Acquisition, Language Enhancement, and Academic Achievement
Title IV, Part A	Student Support and Academic Enrichment Grants
Title IV, Part B	21 st Century Community Learning Centers
Title VI, Part B, Subpart 2:	Rural and Low-Income School Program

McKinney-Vento Homeless Assistance Act of 1987

Title VII, Subtitle B	Education for Homeless Children and Youths Program
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On December 10, 2015, the programs above were reauthorized by the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the Every Student Succeeds Act (ESSA). On November 29, 2016, the Department received information collection clearance approval for a Consolidated State Plan aligned to the Notice of Final Regulations for Accountability and State Plans published in the Federal Register at 81 FR 86076. Congress is currently considering a joint resolution of disapproval under the Congressional Review Act (CRA) (5 U.S.C. §§ 801-808) to overturn these regulations. If a resolution of disapproval is enacted, these regulations “shall have no force or effect.”

Pursuant to 5 CFR 1320.13, the Department requests that OMB review this collection under its emergency procedures. This request for emergency clearance is based on two factors: (1) the joint resolution of disapproval under the CRA presents an unanticipated event beyond the Department’s control; and (2) further uncertainty of the requirements for submission of consolidated State plans would prevent States from implementing the new ESSA requirements in school year 2017-2018.

Section 8302 of the ESEA, as amended by the ESSA, permits each SEA, in consultation with the Governor, to apply for program funds through submission of a consolidated State plan (in lieu of individual program State plans). The purpose of Consolidated State Plans as defined in ESEA is to improve teaching and learning by encouraging greater cross-program coordination, planning, and service delivery; to enhance program integration; and to provide greater flexibility and less burden for SEAs. The Department will use the information from the Consolidated State Plan as the basis for approving funding under the included programs for the duration of the reauthorization. Failure to collect this information in a timely manner will bar the Department from receiving the comprehensive data and information that is necessary to fulfill its fiduciary and oversight responsibilities, and endanger the missions of the individual programs.

Timeline

The first deadline for Consolidated State Plan submission is scheduled for April 3, 2017. Due to the urgency associated with reviewing the plans, we are requesting an emergency clearance by March 10, 2017. Approval of emergency clearance by March 10, 2017 will leave only three weeks for States to adjust their plans accordingly.

The Department is requesting OMB approval by March 10, 2017.

Thank you for your prompt consideration of my request. If you have questions, please contact Monique M. Chism at (202) 260-1824.