




UNITED STATES DEPARTMENT OF EDUCATION

April 19, 2021

MEMORANDUM

TO: Lindsay Abate
Office of Management and Budget Desk Officer

FROM: Ian Rosenblum 
Deputy Assistant Secretary for Policy and Programs
Delegated the Authority to Perform the
Functions and Duties of the Assistant Secretary
Office of Elementary and Secondary Education

RE: Emergency request for Paperwork Reduction Act (PRA) approval

Pursuant to the Office of Management and Budget (OMB) procedures established at 5 CFR 1320, the U.S. Department of Education (Department) requests that the following collection of information to be collected from State educational agencies (SEAs) that receive funds under the American Rescue Plan Elementary and Secondary School Emergency Relief (ARP ESSER) Fund be processed in accordance with section 1320.13 Emergency Processing.

In March 2021, each SEA was awarded two-thirds of its total ARP ESSER allocation. The Department is requiring the submission of an ARP ESSER application before the remaining one-third of an SEA's ARP ESSER allocation is awarded. The application requires submission of information about the SEA's needs (and the needs of its students, educators, schools, and school staff), its plans for using ARP ESSER funds to meet those needs, and its plans for supporting LEAs as they use ARP ESSER funds to meet the needs of their students, staff, and educators. The application must be submitted by prior to the expiration of the time periods established under Part 1320.

The Department recognizes that students, schools, LEAs, and SEAs need resources as quickly as possible to address the evolving nature of the pandemic and meet the needs of students and staff. However, given the unprecedented amount of funding (\$122 billion), the Department must ensure that SEAs have comprehensive plans in place, that are developed with the critical input of stakeholders and the public. These plans must describe how the SEAs will use, and support LEAs' use of, the ARP ESSER funding to address the social, emotional, mental health, and academic needs of students, educators, and school staff arising due to the COVID-19 pandemic, consistent with the ARP Act and the final requirements that will be established in the forthcoming notice of final requirements. For

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these reasons, the Department is requesting emergency approval for the ARP ESSER application so that SEAs can demonstrate that they have adequate plans in place to implement the ARP ESSER program as intended and receive their remaining ARP ESSER funds to address the immediate needs of their students and schools.

If this emergency collection is not approved, the Department will not be able to carry out its oversight responsibilities of the \$122 billion while also ensuring that SEAs receive the resources they need to immediately address COVID-19-related needs, such as returning students and educators to in-person instruction and addressing the impact of interrupted education on all students and particularly those disproportionately impacted by the pandemic. In order to reduce the burden on States, the Department has created an application template States could use to collect the required information. We anticipate that 52 SEAs will respond, and we estimate that the application template will take 100 hours for each SEA to complete.

We request approval of this submission by April 21, 2021 in order to provide States adequate time to create their plans. Given the inability to seek public comment for the time period established under Part 1320 during such a short timeframe, the Department requests a waiver from the requirement to publish a 60-day notice in the Federal Register seeking public comment.