




UNITED STATES DEPARTMENT OF EDUCATION

June 8, 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, the American Rescue Plan (ARP) Elementary and Secondary School Emergency Relief (ESSER) Program Maintenance of Equity (MOEquity) Requirements, Appendix A: MOEquity Data Submission to be collected from State educational agencies (SEAs) be processed in accordance with section 1320.13 Emergency Processing.

The ARP Act introduced new MOEquity requirements for the ARP ESSER fund that SEAs and LEAs must comply with. The new MOEquity requirements are central to the Department's commitment to ensuring that essential resources are meeting the needs of students who have been subject to longstanding opportunity gaps in our education system. These student groups have also experienced the greatest impacts from the Coronavirus Disease 2019 (COVID-19) pandemic. SEAs must submit MOEquity initial data by June 30, 2021.

If this collection is not allowed to proceed, the Department will not be able to carry out its oversight responsibilities of the \$122 billion while ensuring that LEAs and schools 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. For these reasons, the Department is requesting emergency approval for the MOEquity Requirements, Appendix A: MOEquity Data Submission. We anticipate the 52 SEAs will respond, and we estimate that it will take 1.5 hours for each SEA to provide the requested data.

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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.

We request approval of this submission consistent with the release of the maintenance of equity FAQs. Given the inability to seek public comment during such a short timeframe, the Department requests a waiver from the requirement to publish notice in the Federal Register seeking public comment during the period of OMB review. Public comment will be solicited within a reasonable period, but not later than June 15, 2021, of the approval to distribute these FAQs.