



## UNITED STATES DEPARTMENT OF EDUCATION

### ACTION

MEMORANDUM FOR: Miguel Cardona  
Secretary

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

SUBJECT: Recommendation Regarding Puerto Rico's American Rescue Plan Elementary  
and Secondary School Emergency Relief (ARP ESSER) State Plan

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### ISSUE

Whether to approve Puerto Rico's American Rescue Plan Elementary and Secondary School Emergency Relief (ARP ESSER) State plan.

### BACKGROUND

The ARP ESSER Fund provides nearly \$122 billion to State educational agencies (SEAs) and local educational agencies (LEAs) to meet the urgent needs of schools and students in response to the COVID-19 pandemic. The Department made available to each SEA the first two-thirds of its ARP ESSER allocation on March 24, 2021. In order to receive the remaining one-third of its ARP ESSER allocation, each SEA was asked to complete an ARP ESSER State plan, which is designed to promote comprehensive planning by SEAs and LEAs for the effective use of ARP ESSER funds to reopen schools safely; support sustained access to in-person instruction; and to address the academic, social, emotional, and mental health needs of students. An SEA's receipt of the final one-third of ARP ESSER funds is contingent upon the Department's approval of its ARP ESSER State plan.

On November 2, 2021, Puerto Rico submitted a revised ARP ESSER State plan that staff reviewed and recommend approving because it meets all requirements in the ARP ESSER State plan template and is consistent with the American Rescue Plan Act, 2021 (ARP Act) and ARP ESSER Interim Final Requirements (IFR) (86 FR 21195). For each State, OESE maintains a Deliberative Memo that includes the Department staff's recommendation regarding each element of the ARP ESSER State plan and includes summaries of the State response for key requirements. The memo was reviewed by OESE and Office of the General Counsel staff. Each ARP ESSER State plan remains in effect for the duration of the period of availability of the

funds. An SEA must periodically review and revise the plan as necessary to reflect any changes, including in implementation of evidence-based strategies to support students and educators as they continue to recover from the COVID-19 pandemic.

Note that approval of the ARP ESSER State plan is not a determination that all of the information included in the State plan complies with Federal civil rights requirements, including Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, and requirements under the Individuals with Disabilities Education Act. It is each State's responsibility to comply with these civil rights requirements.

RECOMMENDATION

Approve Puerto Rico's ARP ESSER State plan and award Puerto Rico the remaining third of its ARP ESSER allocation.

APPROVE  X  SIGNATURE    DATE  11/17/2021

DISAPPROVE \_\_\_\_\_ SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

CONTACT

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OESE, Patrick Rooney, [Patrick.Rooney@ed.gov](mailto:Patrick.Rooney@ed.gov), 202-453-5514

Attachments

- Approval Letter
- ARP ESSER State Plan