



THE SECRETARY OF EDUCATION
WASHINGTON, DC 20202

December 30, 2021

The Honorable Richard Corcoran
Commissioner of Education
Florida Department of Education
325 West Gaines Street
Tallahassee, FL 32399-0100

Dear Commissioner Corcoran:

I am pleased to approve Florida's American Rescue Plan Elementary and Secondary School Emergency Relief (ARP ESSER) State plan. This plan, together with the unprecedented funding available under ARP ESSER, will support sustained access to in-person instruction and address the social, emotional, mental health, and academic needs of students due to the impact of the coronavirus pandemic (COVID-19), particularly those students most impacted.

Florida's plan addresses all of the ARP ESSER State plan elements. This letter, along with Florida's approved ARP ESSER State plan, will be posted on the U.S. Department of Education's (Department's) website, and the Department will immediately release the remaining one-third of your State's ARP ESSER allocation for your use.

As part of the ARP ESSER State plan, each State assured that it would provide the Department the URLs for information related to ARP ESSER requirements. First, by June 21, 2021, each State was required to post publicly on its website, for the most recent time period available, data on mode of instruction and enrollment for all students, disaggregated by student subgroups. The State assured that it would provide to the Department the URL(s) where the public can readily find this data. The Department will follow up separately with you regarding this requirement, if necessary. Second, your State assured that it would provide to the Department the URL(s) for the State educational agency (SEA) and/or local educational agency (LEA) websites where the public can find the LEA plans for: (a) the safe return to in-person instruction and continuity of services; and (b) use of ARP ESSER funds. Please submit the URL or URLs to the Department via email to your State mailbox at Florida.OESE@ed.gov.

Additionally, Florida references in its ARP ESSER State plan a State law that permits parents, at their sole discretion, to opt out of local masking requirements. Florida also included in its local ARP ESSER application an assurance that an LEA will comply with the State law permitting parent opt out of mask requirements. Despite this assurance, as described in the Department's letter of November 4, 2021, we expect Florida to award ARP ESSER funds to each LEA that applies for the funds and is entitled to those funds under the ARP Act – i.e., each LEA that received funds under Title I, Part A of the Elementary and Secondary Education Act of 1965 (ESEA) in fiscal year 2020. Moreover, approval of Florida's State plan in no way reflects a determination that the State law permitting parent opt out, or any other information included in the State plan, complies with Federal civil rights requirements or any other applicable laws,

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 Florida's responsibility to comply with these civil rights requirements.

The Department is committed to working in partnership with your State so that your ARP ESSER funds are quickly put to work to ensure students have sustained access to in-person instruction as well as the comprehensive supports they need to recover fully from the impacts of the COVID-19 pandemic. As you implement this plan, we expect you to continue meaningfully engaging with stakeholders and the public and revising your plan, as necessary, to best meet the needs of students, parents, and educators. Ongoing engagement with all stakeholders is vital to ensuring that implementation of your plan is transparent, effective, equitable, inclusive, and best meets the needs of your State. The thoughtful, evidence-based, and timely use of ARP ESSER funds will have a lasting impact on our Nation's schools and help to address the inequities in resources, services, and opportunities available to our students.

Sincerely,

/s/

Miguel A. Cardona, Ed.D.