



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

October 4, 2021

The Honorable Richard Corcoran
Commissioner of Education
Florida Department of Education
325 W. Gaines Street
Tallahassee, FL 32399

Dear Commissioner Corcoran:

I am writing regarding the status of Florida's State plan for the use of American Rescue Plan Elementary and Secondary School Emergency Relief (ARP ESSER) funds. The U.S. Department of Education (Department) has now received an ARP ESSER State plan from 51 of 52 State educational agencies (SEAs), with the exception of the Florida Department of Education (FDOE). The Department is eager to provide any necessary assistance to support you in completing this important plan for student support and transparency, and to enable the release of the final one-third of your State's ARP ESSER funds—totaling more than \$2.3 billion—upon approval of Florida's State plan.

As you know, under the American Rescue Plan Act of 2021 (ARP Act), more than \$7 billion in ARP ESSER funding was allocated to Florida to support your students' health and safety and address their social, emotional, mental health, and academic needs in response to the COVID-19 pandemic. The Department released the first two-thirds of each State's allocation in March and required each State to submit its plan for spending its ARP ESSER funds by June. FDOE did not meet this deadline, nor did it meet the July and August submission timelines that were anticipated following conversations with your staff.

The ARP ESSER State plan is a vital public document that demonstrates how a State met critical requirements for stakeholder engagement and public transparency. It also provides an opportunity for each State to describe how it will use the funds it is required to reserve under the ARP Act, totaling up to 10 percent of the State's total allocation. As the Department previously indicated, FDOE may choose to use the portion of the State reserve available to an SEA for emergency needs (up to 3 percent of the State's total allocation) to provide premium pay to teachers. However, we have not received a plan to indicate that you intend to spend funding towards this effort. The ARP Act also requires that each State reserve funds to address the impact of lost instructional time (at least 5 percent of the State's total allocation), provide summer learning and enrichment programs (at least 1 percent of the State's total allocation), and provide comprehensive afterschool programs (at least 1 percent of the State's total allocation); for example, some SEAs have used their State plans to document evidence-based initiatives like high-dosage

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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

tutoring, work-based learning opportunities, expanding access to school counselors, and increasing mental health services.

We appreciate that FDOE recognizes the need for the vital resources that the ARP Act provides, as demonstrated by FDOE's draw-down of more than \$177 million in ARP ESSER funds to date for use at the State level. Yet we have heard repeatedly from parents, teachers, and superintendents from school districts in Florida that FDOE has not yet awarded ARP ESSER funds to local educational agencies (LEAs). Please note that an SEA is required by the ARP Act to make allocations to LEAs in an expedited and timely manner and, to the extent practicable, not later than 60 days after it received the funds from the Department (i.e., May 24, 2021). FDOE's delay raises significant concerns because of the unnecessary uncertainty it is creating for school districts across the State and because it is hindering their ability to confidently plan for how to use these funds to address the needs of students.

The Department remains ready to provide any support that FDOE may need to move forward with the State's ARP ESSER plan. In the meantime, FDOE's failure to meet its responsibilities is delaying the release of essential ARP ESSER resources that are needed by school districts and schools to address the needs of students most impacted by the pandemic. The Department will follow up with FDOE staff to reiterate its offer of assistance.

Sincerely,



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