

# United States Senate

August 9, 2017

The Honorable Betsy DeVos  
Secretary  
U.S. Department of Education  
400 Maryland Ave SW  
Washington, DC 20202

Dear Secretary DeVos:

I write to you to express my strong opposition to the Department of Education's new annual application requirement for recipients of Small, Rural School Achievement Program grants. This requirement puts unnecessary and unprecedented bureaucratic barriers between our nation's smallest schools and the vital resources on which they rely. The schools who qualify for these rural-targeted grants do not have the staff or the time to devote to this additional government red tape. I strongly urge you to overturn this requirement for future years and work to ensure that any schools eligible for these rural grants who failed to meet all of this year's new bureaucratic requirements are not denied funding.

More than 300 Montana school districts qualify for these rural grants, and many of them have contacted me about the unwarranted administrative burden they experienced due to your Department's new annual application requirement. Montana school administrators had to obtain and verify multiple applicant identification numbers, call and email your Department multiple times, and try repeatedly to verify that their application was submitted in a way that met your Department's requirements. It is important that educators spend their valuable time ensuring students get the best possible education, not battling federal paperwork and jumping through bureaucratic hoops.

The reasoning given for this new application requirement would be comical if its implications were not so serious. Your Department stated in the Federal Register and communicated to applicants that the new annual application would "ensure that all SRSA grantee contact information will be updated at least yearly, thereby enabling the Department to communicate more efficiently and effectively with grantee" schools. Jeopardizing an important source of funding for small, rural schools and subjecting them to an annual circus of bureaucratic box-checking cannot be the most effective way to make sure that your Department simply has the right phone numbers on file—especially when school districts already submit annual data reports to the Department.

Your Department promised schools that this new bureaucratic requirement would "require only minimal time of grantees". According to the Montanans who actually had to follow this edict from the Department, it took far more than minimal time. Instead of dedicating

precious time to wrapping up one school year and preparing for the next, rural schools were swimming through an alphabet soup of government acronyms just to understand what your Department is now requiring from them.

Your Department seemingly acknowledged that this new application requirement was burdensome and its requirements difficult to meet when it extended the application deadline. By the Department's own published statistics, one in five schools eligible for these rural grants missed the initial application deadline. The amount of money at stake is by no means trivial. Last year, Montana schools received more than \$5 million in grants through the Small, Rural Schools Achievement Program. In an era where Montana's public school budgets are tighter than ever, our rural schools cannot afford to have even one dollar from these grants threatened by trivial bureaucratic red tape.

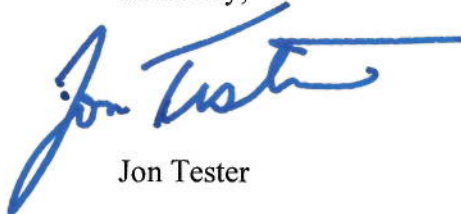
You have stated that you are committed to preventing federal overreach into local school districts. This capricious and arbitrary application requirement is exactly the opposite of your stated commitment. In fact, it represents bureaucracy at its very worst. Sadly, the ones who suffer most from the disconnect between your statements and actions are the children who live in our nation's rural communities and rely on public schools.

In order to understand the origin of this troublesome requirement, I respectfully ask for answers to the following questions:

- Who within your Department ordered and approved this new application requirement?
- Did the Department make this change in consultation with local stakeholders, as required by the provision I included in the *Every Student Succeeds Act* expressly for this purpose?
  - If so, please provide details on the nature of that consultation.
  - If not, please explain why you did not consult with local stakeholders as required.
- How many school districts are at risk of losing funding due to failure to meet the application requirement? How much funding are they at risk of losing?
- Did your Department consider alternative methods of acquiring contact information from grantee school districts?
  - If so, what were those alternatives and why did the Department not select them?

I strongly urge you to remove this annual application requirement and return to the standard process through which eligible schools accessed these rural grants. I also urge you to ensure that no districts who are eligible for these grants but failed to meet the new application requirements lose any of the resources dedicated to their students.

Sincerely,



Jon Tester