



GOVERNMENT OF PUERTO RICO

DEPARTMENT OF EDUCATION
AUXILIARY SECRETARIAT OF FEDERAL AFFAIRS

November 18, 2019

Frank Brogan
Assistant Secretary for Elementary and Secondary Education
U.S. Department of Education
400 Maryland Avenue, S.W.
Washington, D.C. 20202

Dear Assistant Secretary Brogan,

On behalf of the Puerto Rico Department of Education (PRDE), I would like to thank you and your staff for the assistance you have already provided Puerto Rico and your willingness to continue working with PRDE in strengthening internal controls and other efforts to ensure compliance with federal programs. At this time, PRDE would like to formally request additional fiscal flexibility for Fiscal Year (FY) 2017 under the Title IV, Part B of Elementary and Secondary Education Act (ESEA), as amended by Every Student Succeeds Act (ESSA) of 2015.

In accordance with Section 8401 of ESSA, the PRDE is requesting a one-year waiver of section 421(b) of the General Education Provisions Act (GEPA) for the period of availability for the FY 2017 Title IV-B funds. Under this waiver, the period of availability for the funds in question will be extended an additional year, until September 30, 2020. The FY 2017 funds became available on July 1, 2017 and were available to be obligated through September 30, 2019. As such, if the period of availability for the FY 2017 grant is not extended, \$6,843,902.00 of the FY 2017 award will lapse.

For the SY 2019, the PRDE has obligated all the available funds from the carryover for the academic enrichment initiatives that are to be implemented by the subgrantees that were approved after the appropriate competitive process was completed. The funds were obligated through the SY 2019-20 agreements with the subgrantees. However, PRDE identified that a portion of the funds that were already obligated will not be used for the approved initiatives and need to be re-allocated for additional services to be provided for the school communities.

This conclusion comes after PRDE personnel performed various analysis of the invoices submitted for the services that are being provided by the subgrantees and the projections of the payments that are and will be emitted up to December 2019. Appropriately, we understand that we will not be able to spend enough funds in order to liquidate 100% of the funds authorized under this grant (2017). Further, PRDE determined to use the flexibility granted by SEC. 5102. 20 U.S.C. 7305a of the Elementary and Secondary Education Act of 1965, as amended, to continue implementing the school community services that are effectively addressing the unique needs of the eligible participants within the 21st Century Community Learning Centers actively working as of today.

It is for this reason that PRDE would like to formally request additional fiscal flexibility for Fiscal Year (FY) 2017 under the Title IV, Part B federal program. PRDE assures that the monitoring and evaluations that the program performs, will continue to assess the effectiveness of the implementation of the program and the fiscal areas.

This waiver will allow PRDE to complete the activities of this federal program and continue to serve the eligible population that is still in need of supplemental assistance.

In accordance with federal regulations, the PRDE has provided the public with notice and a reasonable opportunity to comment and provide input on this request. The waiver was posted in PRDE's official website from November 13-18, 2019; and as of the date of this letter PRDE has not received any comments or inputs.

My office is available to further discuss this request, should you have any questions or concerns, please contact Francisco Martínez Oronoz at 787-773-2003 or martinezof@de.pr.gov and Luis Oppenheimer oppenheimer_l@de.pr.gov. We would like to discuss this requests and next steps with you at your earliest convenience.

Thank you.

Sincerely,



Dr. Francisco Martínez Oronoz
Interim Auxiliary Secretary of Federal Affairs

cc: Keely Weber- Keely.Weber@ed.gov