



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

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September 16, 2024

VIA EMAIL: **Alaska.OESE@ed.gov**

Adam Schott
Principal Deputy Assistant Secretary
Office of Elementary and Secondary Education
United States Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202

Re: American Rescue Plan Act and Maintenance of Equity for FY 2023 Funds

Dear Mr. Schott,

On August 15, 2024, the Alaska Department of Education and Early Development (DEED) responded to the Office of Elementary and Secondary Education's (OESE) July letter where OESE alleged that Alaska is not in compliance with its fiscal year (FY) 2023 Maintenance of Equity (MOEquity) obligations.¹ In our letter, we requested a full explanation of OESE's calculations, contested the preliminary nature of OESE's current calculations, reiterated our position that Alaska has complied with all MOEquity requirements, and provided more information on Alaska legislative appropriations.

However, on September 13, 2024, OESE sent DEED a follow-up letter stating that OESE did not receive DEED's August 15 letter. There, OESE further stated its intent to withhold additional American Rescue Plan (ARP) funds that have been awarded to the State. Having reviewed our files, we have determined that OESE is incorrect about having not received DEED's August letter.² We have attached the relevant email and letter here and ask that you review.

¹ Attachment 1 (letter).

² Attachment 2 (email with letter attached).

Mr. Schott, Principal Deputy Asst. Secretary
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Because OESE did not consider DEED's response, we request that OESE rescind its September 13 letter, review DEED's August 15 letter, and reverse its determination to withhold funds. For the reasons explained in DEED's August letter, Alaska is in compliance with its FY23 MOEquity obligations and, thus, OESE lacks any reasonable basis to withhold an additional \$5,556,632 in ARP ESSER funds from the State.

We look forward to hearing back from you. Please reach out if you have any additional questions.

Sincerely,



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RTB/SGG/jdd
Enclosures