



JOY HOFMEISTER  
STATE SUPERINTENDENT *of* PUBLIC INSTRUCTION  
OKLAHOMA STATE DEPARTMENT *of* EDUCATION

March 2, 2020

Secretary of Education, Betsy DeVos  
Lyndon Baines Johnson (LBJ), Department of Education Building  
400 Maryland Ave, SW  
Washington, DC 20202

Dear Secretary DeVos:

I am writing to express concerns that a recent change by the U.S. Department of Education (USDE) for the Rural and Low-Income Schools (RLIS) program will result in the loss of more than \$1 million in desperately needed funds for many rural, high-poverty public schools in Oklahoma.

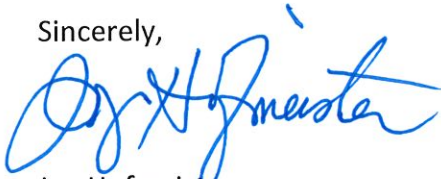
At issue is a recently announced directive that Oklahoma and other states can no longer use state-provided alternative poverty data to determine "below poverty" eligibility for RLIS in Section 5221(b)(1)(A)(i) of the Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act (ESSA). In the past, USDE allowed Oklahoma to use the aforementioned data, which is based on free lunch percentages, to help establish RLIS eligibility. However, on Jan. 17, 2020, Staci Cummins of USDE notified Oklahoma that RLIS eligibility must now be determined by Small Area Income and Poverty Estimates (SAIPE data), and that state-provided adjusted poverty data is only accepted in cases where the U.S. Census' SAIPE data are unavailable.

In fiscal year 2020, 144 local education agencies (LEAs) in Oklahoma received an RLIS allocation. Based on USDE's current interpretation of Section 5221(b)(1)(A)(i), 62 LEAs in FY2021 will no longer be eligible for the RLIS grant. This is a significant decrease from 144 to 82 eligible LEAs for the RLIS grant.

The loss of approximately \$1,040,095 in RLIS funds will adversely affect many rural LEAs and likely force the reduction of services to their students. These LEAs do not often participate in competitive grants due to a lack of resources and capacity. RLIS provides additional funding and flexibility to help these LEAs achieve maximum benefits for student achievement.

Oklahoma respectfully requests that USDE reconsider its current RLIS interpretation of the law and allow greater flexibility for states impacted by this abrupt change.

Sincerely,



Joy Hofmeister  
State Superintendent of Public Instruction

Cc:

- Governor Kevin Stitt
- Senator James Lankford
- Senator James Inhofe
- Representative Tom Cole
- Representative Frank Lucas
- Representative Markwayne Mullin
- Representative Kevin Hern
- Representative Kendra Horn