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CONGRESS OF THE UNITED STATES  
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ENERGY

March 13, 2020

The Honorable Rosa DeLauro  
Chair  
Committee on Appropriations  
Subcommittee on Labor, Health & Human  
Services, and Related Agencies  
U.S. House of Representatives  
Washington, D.C. 20515

The Honorable Tom Cole  
Ranking Member  
Committee on Appropriations  
Subcommittee on Labor, Health & Human  
Services, and Related Agencies  
U.S. House of Representatives  
Washington, D.C. 20515

Dear Chairwoman DeLauro and Ranking Member Cole:

As you begin work on the Fiscal Year 2021 Labor, Health & Human Services, and Related Agencies (LHHS) Appropriations Bill, we urge you to include report language to ensure hundreds of rural schools across the nation maintain vital funding to provide support services and afterschool programming.

In 2002, the Rural Education Achievement Program was authorized under *No Child Left Behind* to provide two type of formula grants: Small, Rural School Achievement program grants (SRSA) and Rural and Low Income Schools program grants (RLIS). Local education agencies (LEAs) qualify for RLIS grants by serving 20% or more children ages 5-17 from families with incomes below the poverty line while also meeting a local code assigned by the Secretary of Education. Schools must use U.S. Census Bureau Small Area Income and Poverty Estimates (SAIPE) program data to determine the number of students from families living under the poverty line.

By 2003, it became clear that there were rural school districts across the country with insufficient Census data to submit applications for the RLIS program. The Department of Education issued guidance allowing school districts missing SAIPE data to use free-or-reduced-priced lunch as an alternative measure of poverty. This guidance has been in place for the last seventeen years. Despite the program's reauthorization in 2015 and a more recent program reform to require schools to re-apply ever year, the Department has not attempted to clarify these issues until January 2020 when most schools had filed their applications for the program and budgeted with this grant funding in mind.

Early this year, Department of Education Secretary Betsy DeVos attempted to implement a policy change to kick schools off that only qualified under the free-and-reduced lunch metric, which would have resulted in the sudden withdrawal of millions of federal dollars from rural schools across the country. In the state of Oklahoma, the change would have disqualified 62 of the 114 local education agencies (LEAs) previously eligible for these grants after their FY20 applications

had been submitted. This funding goes towards parental involvement activities, improvements to basic programs, instructor support and professional development, language instruction for English learners and immigrant students, and student support and academic enrichment.

We recognize that this action ensures that the RLIS program will conform to the plain text of the law; however, the root of the problem has always been Department of Education guidance and we do not believe that these schools should suffer the consequences of that incorrect guidance. We therefore ask that the subcommittee include the following report language:

*“Rural and Low-Income Schools Program—The Committee recognizes that the Rural Education Achievement Program’s Rural and Low-Income School grant program has provided vital funding to rural schools across the country to ensure that regardless of geographic location, every child can have an effective and comprehensive education. Therefore, any changes to the administration of the Rural and Low Income School grant program should give schools losing grant funding previously received from the program a sufficient amount of time and guidance to pursue supplementary funding not less than one year.”*

We urge you to support inclusion of this language within the FY 2021 LHHS Appropriations package.

Sincerely,



Kendra S. Horn  
Member of Congress