

MEMORANDUM

TO: The Assistant Secretary for Elementary and Secondary Education

FROM: The Secretary

SUBJECT: Delegation of Programmatic Authority

I. DELEGATION OF AUTHORITY

Under the authority vested in me by section 412 of the Department of Education Organization Act, 20 U.S.C. §3472, I hereby delegate to you, your successor in function, and anyone serving for you in an acting capacity or delegated to perform the functions and duties of your position, the programmatic authorities described in the attached appendix.

Unless otherwise noted in future delegations of authority, amendments to the authorities delegated herein are included in the scope of this delegation.

II. RESERVATIONS

Unless otherwise noted in existing or future delegations of authority, the following are not delegated:

- A. the authority to sign documents for publication in the Federal Register other than those documents designated in the blanket delegation of authority to sign Federal Register documents to Principal Officers, EA/GEN/12, certified on June 15, 2006;
- B. the authority to appoint members of advisory councils and fix compensation; and
- C. unless otherwise provided by law, the authority to submit reports to Congress or the President.

III. REDELEGATION

Subject to applicable provisions of law, and unless otherwise noted, you may redelegate any of the authorities delegated to you, and may authorize further re delegation. All redelegations must be prepared in accordance with the Administrative Communications System directive, OM:1-102: Delegations of Authority, dated July 29, 2008.

IV. CERTIFICATION AND EFFECTIVE DATE

This delegation is effective upon certification by the Department's Principal Delegations Control Officer. It supersedes all delegations of the authorities contained herein.

I hereby ratify actions within the scope of this delegation taken by the addressee prior to the date of certification.

-s-

Arne Duncan

OGC Clearance and Date:
Deborah Friendly, 1/30/12

Certified Date: 2/3/12

Departmental Delegations Control Officer: /s/ Bruce Monblatt

Control Number: EA/ES/87

Office of Elementary and Secondary Education
Delegation of Authority
APPENDIX

The following charts the authority delegated to the Office of Elementary and Secondary Education to administer programs authorized under the Elementary and Secondary Education Act of 1965, as amended (ESEA), the Higher Education Act of 1965, as amended (HEA), the McKinney-Vento Homeless Assistance Act of 1987, as amended (MVHAA), the Civil Rights Act of 1964, as amended (CRA), the Educational Technical Assistance Act of 2002 (ETAA), the Compact of Free Association Amendments Act of 2003, as amended, the Hurricane Education Recovery Act (HERA), the Department of Education Organization Act (DEOA), the Education Flexibility Partnership Act of 1999, as amended, Pub. L. 95-134, as amended, and the American Recovery and Reinvestment Act of 2009, as amended (ARRA).

<u>Statute</u>	<u>Description of Delegated Authority</u>
Title I, Section 1003(g) of the ESEA (20 U.S.C. 6303(g))	School Improvement Fund
Title I, Part A of the ESEA (20 U.S.C. 6311 et seq.)	Improving Basic Programs Operated by Local Educational Agencies
Title I, Part B, Subpart 1 of the ESEA (20 U.S.C. 6361 et seq.)	Reading First
Title I, Part B, Subpart 2 of the ESEA (20 U.S.C. 6371 et seq.)	Early Reading First
Title I, Part B, Subpart 3 of the ESEA (20 U.S.C. 6381 et seq.)	William F. Goodling Even Start Family Literacy Programs
Title I, Part B, Subpart 4 of the ESEA (20 U.S.C. 6383 et seq.)	Improving Literacy Through School Libraries
Title I, Part C of the ESEA (20 U.S.C. 6391 et seq.)	Education of Migratory Children
Title I, Part D of the ESEA (20 U.S.C. 6421 et seq.)	Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent, or At Risk
Title I, Part E, Section 1502 of the ESEA (20 U.S.C. 6492)	Striving Readers (Demonstrations of Innovative Practices)
Title I, Part F of the ESEA (20 U.S.C. 6511 et seq.)	Comprehensive School Reform
Title I, Part G, Sections 1701-07 of the ESEA (20 U.S.C. 6531-37)	Advanced Placement Programs (Access to High Standards Act)

Title I, Part H, Sections 1801-1830 of the ESEA (20 U.S.C. 6551-6561i)	Dropout Prevention Act (High School Graduation Initiative)
Title I, Part I of the ESEA (20 U.S.C. 6571 et seq.)	General Provisions
Title II, Part A, Subparts 1- 4 of the ESEA (20 U.S.C. 6601 et seq.)	Teacher and Principal Training and Recruitment Fund
Title II, Part A, Subpart 5, Section 2151(e) of the ESEA (20 U.S.C. 6651(e))	Early Childhood Educator Professional Development
Title II, Part B of the ESEA (20 U.S.C. 6661 et seq.)	Mathematics and Science Partnerships
Title II, Part C, Subpart 3, Sections 2344 and 2345 of the ESEA (20 U.S.C. 6714 and 6715)	Civic Education
Title II, Part D, Subpart 1 of the ESEA (20 U.S.C. 6761 et seq.)	State and Local Technology Grants
Title III, Part A, Subparts 1 and 2, Sections 3111-3129, and Part C, Sections 3301, 3302, and 3304 of the ESEA (20 U.S.C. 6821-6849 and 7011, 7012, and 7014)	Formula Grants to States
Title III, Part A, Subpart 1, Section 3111(c)(1)(B) of the ESEA (20 U.S.C. 6821(c)(1)(B))	Outlying Areas Program
Title IV, Part A of the ESEA (20 U.S.C. 7101-7103, 7111-7117, 7131-7140, 7151 and 7161-7165)	Safe and Drug-Free Schools and Communities
Title IV, Part B of the ESEA (20 U.S.C. 7171-7176)	21st Century Community Learning Centers
Title IV, Part C of the ESEA (20 U.S.C. 7181-7184)	Environmental Tobacco Smoke (Pro-Children Act)
Title V, Part A of the ESEA (20 U.S.C. 7201 et seq.)	Innovative Programs
Title V, Part D, Subpart 1 of the ESEA (20 U.S.C. 7243-7243e)	Teacher Incentive Fund; Literacy Initiative (funded under the Department of Education's FY 2012 appropriation) Rescinded on June 13, 2014 with authority given to OII
Title V, Part D, Subpart 2 of the ESEA (20 U.S.C. 7245)	Elementary and Secondary School Counseling Programs
Title V, Part D, Subpart 3 of the ESEA (20 U.S.C. 7247)	Partnerships in Character Education
Title V, Part D, Subpart 4 of the ESEA (20 U.S.C. 7249)	Smaller Learning Communities

Title V, Part D, Subpart 6 of the ESEA (20 U.S.C. 7253 et seq.)	Gifted and Talented Students
Title V, Part D, Subpart 10 of the ESEA (20 U.S.C. 7261-7261f)	Physical Education (Carol M. White Physical Education Program)
Title V, Part D, Subpart 14, Section 5541 of the ESEA (20 U.S.C. 7269)	Grants for the Integration of Schools and Mental Health Systems
Title V, Part D, Subpart 14, Section 5542 of the ESEA (20 U.S.C. 7269a)	Promotion of School Readiness through Early Childhood Emotional and Social Development (Foundations for Learning Grants)
Title V, Part D, Subpart 17, Section 5571 of the ESEA (20 U.S.C. 7275)	Combatting Domestic Violence
Title V, Part D, Subpart 18, Sections 5581-5586 of the ESEA (20 U.S.C. 7277-7277e)	Healthy, High-Performance Schools
Title V, Part D, Subpart 20 of the ESEA (20 U.S.C. 7281 et seq.)	Additional Assistance for Certain Local Educational Agencies Impacted by Federal Property Acquisition
Title VI, Part A, Subpart 1, Section 6111 of the ESEA (20 U.S.C. 7301)	Grants for State Assessments and Related Activities
Title VI, Part A, Subpart 1, Section 6112 of the ESEA (20 U.S.C. 7301a)	Grants for Enhanced Assessment Instruments
Title VI, Part A, Subpart 2 of the ESEA (20 U.S.C. 7305 et seq.)	Funding Transferability for State and Local Educational Agencies
Title VI, Part A, Subpart 3 of the ESEA (20 U.S.C. 7311 et seq.)	State and Local Flexibility Demonstration
Title VI, Part B of the ESEA (20 U.S.C. 7341 et seq.)	Rural Education Initiative
Title VII, Part A, Subpart 1, Sections 7111-19 of the ESEA (20 U.S.C. 7421-29)	Indian Education Formula Grants to Local Educational Agencies
Title VII, Part A, Subpart 2, Sections 7121-22 of the ESEA (20 U.S.C. 7441-42)	Special Programs and Projects to Improve Educational Opportunities for Indian Children
Title VII, Part A, Subpart 3, Sections 7131-36 of the ESEA (20 U.S.C. 7451-56)	Indian Education National Activities
Title VII, Part A, Subpart 4, Sections 7141-44 of the ESEA (20 U.S.C. 7471-74)	Indian Education Federal Administration
Title VII, Part B of the ESEA	Native Hawaiian Education

(20 U.S.C. 7511 et seq.)	
Title VII, Part C of the ESEA (20 U.S.C. 7541 et seq.)	Alaska Native Education
Title VIII of the ESEA (20 U.S.C. 7701 et seq.)	Impact Aid
Title IX, Parts A-E of the ESEA (20 U.S.C. 7801 et seq.)	General Provisions – Coordination of State and Local Programs; Consolidated State and Local Plans and Applications
Title IX, Part E, Section 9532 of the ESEA (20 U.S.C. 7912)	Unsafe School Choice Option
Sections 1113(a)(7), 9401, and 9521(c) of the ESEA (20 U.S.C. 6313(a)(7), 7861, and 7901(c))	Authority to grant waivers
Title IV, Section 418A of the HEA (20 U.S.C. 1070d-2)	Special Programs for Students Whose Families are Engaged in Migrant and Seasonal Farm Work
Title VII, Subtitle B of the MVHAA (42 U.S.C. 11431-11435)	Education for Homeless Children and Youth
Title IV of the CRA (42 U.S.C. 2000c, 2000c-2, and 2000c-5)	Desegregation of Public Education – Training and Advisory Services
Title II, Section 203 of the ETAA (20 U.S.C. 9602)	Comprehensive Centers
Pub. L. 106-25, as amended (20 U.S.C. 5801 et seq.)	The Education Flexibility Partnership Act of 1999, as amended
Section 105(f)(1)(B)(iii) of Pub. L. 108-188 (Compact of Free Association Amendments Act of 2003, as amended) (48 U.S.C. 1921d(f)(1)(B)(iii))	Supplemental Education Grants
HERA (Pub. L. 109-148), Title IV, Subtitle A Section 102 Section 106 Section 107	Immediate Aid to Restart School Operations Assistance for Homeless Youth Temporary Emergency Impact Aid for Displaced Students
Title V, Pub. L. 95-134, as amended (48 U.S.C. 1469a)	Consolidated Grants to Insular Areas
Section 206 of the DEOA (20 U.S.C. 3416)	Unified Approach to Rural Education and Rural Family Education through the Center for Rural Education
Sections 14005 and 14006 of the ARRA (Pub. L. 111-5), as amended by Section 1832(b) of the Department of Defense and Full-Year Continuing Appropriations Act, 2011 (Pub. L. 112-10)	Race to the Top-Early Learning Challenge

The Secretary has also delegated to Principal Officers certain administrative authorities subject to specified reservations.