



THE SECRETARY OF EDUCATION
WASHINGTON, DC 20202

June 5, 2018

Dr. Michael W. Kirst
President
California State Board of Education
1430 N Street, Suite 5111
Sacramento, CA 95814

Honorable Tom Torlakson
Superintendent of Public Instruction
California Department of Education
1430 N Street
Sacramento, CA 95814

Dear President Kirst and Superintendent Torlakson:

I am writing regarding the status of your consolidated State plan submitted under the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the Every Student Succeeds Act (ESSA). On September 18, 2017, California submitted a consolidated State plan in accordance with the ESEA and the amended McKinney-Vento Homeless Assistance Act (McKinney-Vento Act). On December 21, 2017, the U.S. Department of Education (Department) sent California an interim feedback letter that outlined the ways in which California's submitted plan does not meet all applicable statutory and regulatory requirements. At your request, we granted you additional time to address the areas that needed clarification or additional information, and you acknowledged that the Department would therefore need more time before a final determination could be rendered. As of the time of this letter, California has not submitted a revised consolidated State plan that meets all requirements of the ESEA and the McKinney-Vento Act.

The ESEA requires that a State have an approved consolidated State plan to receive Federal grants funds under the ESEA. Under the Secretary's transition authority in ESSA, for fiscal year (FY) 2017 only, the Department awarded formula funds based on a consolidated set of assurances that your State submitted by June 2, 2017. If California does not have an approved consolidated State plan prior to the Department awarding FY 2018 funds on July 1, 2018, the Department may take one or more actions that may include the following for all or some of the programs included in the consolidated State plan:

- Place a condition on the award of FY 2018 funds under 2 C.F.R. 200.207.
- Place the State on high-risk status under 2 C.F.R. 3474.10.
- Withhold all or a part of the Title I, Part A State administrative funds under ESEA section 1111(a)(7).

- Withhold all or a part of the formula program funds under the General Education Provisions Act (GEPA) section 455.
- Disapprove the consolidated State plan under ESEA section 8451(b).

In order to avoid any further action such as those listed above on July 1, 2018, you must submit a revised consolidated State plan that meets the requirements of the ESEA and the McKinney-Vento Act no later than June 15, 2018. The State plan is a vital tool for providing quality, transparent information to parents, educators, and stakeholders about how your State is implementing the ESEA. The Department continues to be ready to provide technical assistance to you so that you may submit an approvable consolidated State plan.

Sincerely,

/s/

Betsy DeVos