



UNITED STATES DEPARTMENT OF EDUCATION

September 12, 2025

Kent Pekel
Rochester Public Schools

RE: Response to Reconsideration Request of the Non-Continuation of Grant PR/Award Number S184H220228

Dear Kent Pekel,

We have reviewed your timely request for reconsideration submitted on May 27, 2025 regarding the non-continuation of grant PR/Award Number S184H220228 in the School-Based Mental Health Grant Program. Upon the review and recommendation by the Office of Elementary and Secondary Education, I have concluded the review of your reconsideration request and your request is denied.

The U.S. Department of Education (Department) has provided this administrative reconsideration process, consistent with law (34 C.F.R. § 75.253(g)), to permit a grantee to challenge this decision to not continue a grant. As part of this process, the Department informed applicants in their non-continuation letter that they could submit a reconsideration request, and the Department would review the submitted materials to determine if the request is accepted or denied.

Upon review of your submitted reconsideration materials and documentation from your grant, I have determined that your grant provides funding for programs that reflect the prior Administration's priorities and policy preferences and conflicts with those of the current Administration, in that the program: violates the letter or purpose of Federal civil rights law; conflicts with the Department's policy of prioritizing merit, fairness, and excellence in education; undermines the well-being of the students these programs are intended to help; or constitutes an inappropriate use of federal funds.

Specifically, in support of my conclusion, you state in your approved grant application on page e8 that "applicants will have the opportunity to... includ[e]... membership [in] underrepresented populations," and that membership "will be weighted more heavily with preference given to individuals from diverse backgrounds" (e9). In addition, the information in your request for reconsideration was not sufficient to refute these findings.

As stated in your non-continuation letter, you are encouraged to carefully review and discharge your closeout responsibilities set forth in 2 C.F.R. § 200.344-346 and your award agreement. Those responsibilities include, but are not limited to, your obligation to "promptly refund any unobligated funds" that have been paid out but "are not authorized to be retained." *See* 2 C.F.R. §200.344(g). Failure to do so will result in the Department filing a report documenting your "material failure to comply with the terms and conditions of" this award on SAM.gov and taking

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any other appropriate enforcement actions, which could impact your eligibility for future grants and may result in additional liabilities. *See* 2 C.F.R. § 200.344(i). Please note that costs incurred for prosecuting claims against the Federal Government, including costs incurred related to this reconsideration request, are unallowable. *See* 2 C.F.R. § 200.435(g).

Additionally, under 2 C.F.R. 200.344(b), you are required to submit a final report by April 30, 2026. Your program officer will provide specific instructions on additional closeout activities prior to the end of your project period. Please note that the Department is electing, consistent with 34 C.F.R. § 75.253(h), to not authorize further no-cost extensions for grant awards identified for non-continuation.

We remind you of your responsibility to retain all Federal awards records for three years from the date of submission of your final financial report. *See* 2 C.F.R. § 200.334. Please note that this determination represents the final decision of the Department.

Should you have additional questions, we encourage you to refer to the Frequently Asked Questions on our website at: <https://www.ed.gov/grants-and-programs/grants-birth-grade-12/safe-and-supportive-schools/school-based-mental-health-services-grant-program#notice-of-non-continuation-frequently-asked-questions-faqs>.

Respectfully,

A handwritten signature in black ink that reads "Lindsey M. Burke". The signature is written in a cursive, flowing style.

Lindsey M. Burke, Ph.D.
Deputy Chief of Staff for Policy and Programs
U.S. Department of Education