



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF POSTSECONDARY EDUCATION

September 29, 2025

Daniel Pacheco
PIMA COMMUNITY COLLEGE DISTRICT

RE: Response to Reconsideration Request of the Non-Continuation of Grant PR/Award Number P047A220766

Dear Daniel Pacheco:

We have reviewed your timely request for reconsideration submitted on 9/19/2025 regarding the non-continuation of grant PR/Award Number P047A220766 in the Upward Bound program. Upon the review and recommendation by the Office of Postsecondary 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, the application for funding states the Diversity Equity and Inclusion Plan guides faculty staff and administration in treating all PCC students with equity (Pima County Community College Plan for Ensuring Equitable Access and Participation General Education Provisions Act (GEPA) Sec. 427 Statement - p.1). In addition, the project under the selection criterion Community Support, the community partners will involve programming that highlights cultural diversity and awareness; volunteer, leadership and/or service learning; diversity and racial justice workshop (YWCA). (page 47). 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.

400 MARYLAND AVE., SW, WASHINGTON, DC 20202
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The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

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 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 January 21, 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/manage-your-grant/departments-grant-discontinuation-and-termination-processes>.

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