

RAÚL M. GRIJALVA
3RD DISTRICT, ARIZONA

COMMITTEE ON NATURAL RESOURCES
CHAIRMAN

COMMITTEE ON EDUCATION AND LABOR
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EDUCATION SUBCOMMITTEE

CONGRESSIONAL PROGRESSIVE CAUCUS
CHAIR EMERITUS

Congress of the United States
House of Representatives
Washington, DC 20515-0307

WEBSITE: <http://grijalva.house.gov/>

1511 Longworth HOB
Washington, DC 20515
Phone (202) 225-2435 | Fax (202) 225-1541

101 W. Irvington Rd., BLDG. 4
Tucson, AZ 85714
Phone (520) 622-6788 | Fax (520) 622-0198

146 N. State Ave.
P.O. Box 4105
Somerton, AZ 85350
Phone (928) 343-7933 | Fax (928) 343-7949

1412 N. Central Ave., Suite B
Avondale, AZ 85323
Phone (623) 536-3388 | Fax (623) 535-7479

FACEBOOK: [Facebook.com/Rep.Grijalva](https://www.facebook.com/Rep.Grijalva)
TWITTER: [Twitter.com/RepRaulGrijalva](https://twitter.com/RepRaulGrijalva)
INSTAGRAM: [Instagram.com/RepRaulGrijalva](https://www.instagram.com/RepRaulGrijalva)

August 18, 2021

The Honorable Miguel Cardona
Secretary
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20002

Dear Secretary Cardona,

Yesterday, Arizona Governor Doug Ducey announced that he would be using American Rescue Plan (ARP) funds to provide grants to Arizona schools that “follow all state laws and remain open for in-person instruction through the entire school year.” This is a punitive measure for Arizona schools that follow scientific guidance from the Center for Disease Control and Prevention that recommends “universal indoor masking,” for students, staff and visitors of K-12 schools. Arizona is one of eight states that have laws or executive orders banning mask requirements in public schools. This latest action by Governor Ducey jeopardizes the health and safety of children, families and school staff when COVID continues to ravage across communities.

The allocation of federal dollars through ARP was intended to be used to support states in their efforts to “reopen K-12 schools safely and equitably expand opportunities for students who need it most.” As the highly contagious Delta variant continues to spread across Arizona, where transmission rates remain high, Governor Ducey is yet again pursuing reckless and inhumane proposals that will continue to exacerbate this public health crisis. In addition, it puts into question the legality around him restricting public health mitigation measures in the first place.

While scientific research recommends vaccination as the leading public health strategy to stop community spread of COVID, we must do all that is necessary to protect children, many of whom are not yet eligible for vaccination. It is unacceptable to solely place the burden of keeping our schools safely open for in-person learning and fighting COVID on our children, their families and the school staff serving them. I respectfully urge you to examine the legality of Governor Ducey’s proposal that will disproportionately deny aid to schools that take appropriate mitigation actions to protect their students.

I appreciate the work the Department of Education has been doing to support school reopening for in-person learning. Thank you for your consideration of this urgent request.

Sincerely,



Raúl M. Grijalva
Member of Congress