



U.S. Department of Education
400 Maryland Avenue SW
Washington, DC 20202

Re: ED-2026-OPEPD-2542, Education Department General Administrative Regulations (EDGAR)

To Whom It May Concern,

Thank you for the opportunity to comment on the U.S. Department of Education's (ED) proposed changes to the Education Department General Administrative Regulations (EDGAR), published in the Federal Register on August 24, 2026 (91 FR 54666), which would amend 2 CFR parts 3474 and 3485 and 34 CFR parts 75, 76, 77, and 79.

The Afterschool Alliance is a non-partisan, non-profit network of more than 28,000 afterschool and summer learning providers working to increase access to afterschool and summer learning opportunities for students nationwide. Afterschool programs engage community, school, business, and faith-based partners to provide hands-on activities that raise school attendance, academic achievement, workforce readiness skills, and graduation rates. We work with a range of afterschool program providers that receive a variety of federal funding supports and leverage private funding to provide quality learning opportunities for students in every state and four U.S. territories. This EDGAR proposal is particularly relevant for programs that receive federal funding through 21st Century Community Learning Centers (21st CCLC), Title IV-A of the Every Student Succeeds Act (ESSA), and Full-Service Community Schools, among other federal education investments.

We recognize ED's stated goals of promoting efficiency and cost savings within the Department. We are concerned that several of the proposed revisions would reduce transparency, increase funding uncertainty, and add new compliance burdens for afterschool and summer learning providers. We believe the proposed changes outlined below would have negative impacts:

- **Proposed change (§§ 75.100, 75.104, 75.105, 79.3, 79.6, 79.8):** Would eliminate the requirement that ED publish grant application notices, maximum award amounts, annual priorities, and intergovernmental review information in the Federal Register, relying instead on Grants.gov and application notices alone.

Impact: Publication in the Federal Register creates a permanent, publicly accessible record with a fixed citation that documents the eligibility, priorities, and selection criteria in effect for a given competition. Removing this requirement would make it harder for

applicants, researchers, and Congress to track how ED's priorities for programs like 21st CCLC and Full-Service Community Schools have shifted from year to year, and to hold ED accountable to the terms it originally published.

- **Proposed change (§ 75.210):** Would revise the general selection criteria for discretionary grants, replacing references to “underserved populations” with “target population” and adding new review factors related to merit-based hiring and admissions.

Impact: ESSA itself uses the term “underserved” in Title II, Title IV-A, and other sections to direct how funding should be targeted. Introducing different terminology in EDGAR than in the authorizing statute could create confusion for applicants developing proposals and for peer reviewers scoring them, and may shift emphasis away from the specific populations Congress intended these programs to reach.

- **Proposed change (§ 75.228):** Would allow the Secretary to give competitive preference to applicants that propose to charge a lower indirect cost rate than their federally negotiated rate.

Impact: For afterschool and summer learning providers, indirect costs cover the shared functions that keep program sites open and safe, including hiring and payroll systems for site staff, background checks and staff training infrastructure, insurance, facility and utility costs, and the financial management and reporting required to administer a federal grant. Favoring applicants that charge lower indirect costs could result in reduced program quality and put smaller, rural, and community-based afterschool and summer learning providers, which often have thinner administrative margins than larger institutions, at a competitive disadvantage.

- **Proposed change (§§ 75.253, 75.901):** Would broaden the Secretary's discretion to make continuation-award determinations for multi-year projects and allow reliance on information beyond the original application, and would state explicitly that ED may terminate a discretionary grant “for convenience” in addition to existing grounds for termination.

Impact: Afterschool and summer learning programs often rely on stable, multi-year federal funding to hire staff, maintain partnerships, and serve students consistently. Together, these changes would give ED broad latitude to reduce, deny, or end funding mid-cycle without the grantee having caused any noncompliance, and without a corresponding process for grantees to respond to or appeal that decision. Programs that build multi-year budgets and staffing plans around expected continuation funding would face added uncertainty, making it harder to plan ahead and sustain quality programs and services for the students and families who depend on them.

- **Proposed change (§§ 75.500, 76.500, 76.700):** Would require all ED grantees to base hiring, admissions, promotion, and compensation decisions under the grant on “merit and high standards,” terms the proposal does not define, and would extend the existing requirement that competitive grantees comply with executive orders to state-administered formula grantees as well, which includes 21st CCLC and Title I.

Impact: State educational agencies and their local afterschool and summer learning subgrantees, many of which are small non-profit and community-based organizations with limited legal staff, would need to monitor an additional and less predictable source of compliance obligations. Undefined terms like “merit practices” could create uncertainty about what is required and increase the compliance burden on organizations already operating with lean administrative capacity.

Reduced transparency into ED's grant competitions and increased uncertainty around continuation funding and termination authority could make it harder for afterschool and summer learning providers, particularly smaller, rural, and community-based organizations, to plan ahead, retain staff, and sustain services. Fewer stable federal grant opportunities would mean fewer options for working families and less consistent academic enrichment, youth development, and safe adult supervision for the students who rely on them.

The Afterschool Alliance appreciates ED's stated goal of reducing administrative burden, but urges the Department to reconsider the provisions identified above to ensure that federal education grant programs continue to operate with the transparency and stability that afterschool and summer learning providers and the communities they serve depend on.

Thank you for your consideration,

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Afterschool Alliance