

United States Senate

September 9, 2024

The Honorable Miguel Cardona
Secretary
U.S. Department of Education
400 Maryland Ave., SW
Washington, D.C. 20202

Dear Secretary Cardona:

I write to express my extreme disappointment in the Department of Education's decision to defund the Montana University Systems' Gaining Early Awareness and Readiness for Undergraduate Programs (GEAR UP) grant. Specifically, I am deeply troubled by indications that the Department rejected Montana's application based primarily on an unfair scoring decision related to subjective diversity hiring requirements that failed to recognize the work already being done on this front. Denying Montana's application for an initiative that largely serves Indian Country is embarrassing for the Department of Education and damaging to the students that will go without these resources. It is critical that you immediately reconsider the decision to end Montana GEAR UP by reassessing this grant decision or finding an alternative method to fund this critical initiative for Montana's students.

This decision by the Department ignores a 25 year success story, negatively impacts education opportunities for Montana's highest need communities, and puts several Montana school districts in a financial bind as the new school year begins. The Montana University System has successfully operated a federal GEAR UP grant since 1999. It is a long-standing, effective, and greatly needed program as Montana has one of the most rural school systems in the country. Montana GEAR UP prepares rural students for college by providing tutoring, mentoring, academic and career counseling, and exposure to college campuses. Without the resources provided by Montana GEAR UP, many statewide services, including free access to the ACT and pre-ACT and Montana's dual enrollment program, will be severely limited.

It is my understanding that GEAR UP grant applications are scored by three reviewers. In this case, two out of three reviewers gave Montana's application full points on all competitive priorities. The third reviewer appears to have docked points based on assumptions regarding Montana GEAR UP's hiring practices. This finding is misguided and false based on what is clearly included in the application. The Department noted that Montana's application:

“lack(ed) specific details on how the project will attract and hire a diverse group of individuals with backgrounds similar to the persons they are proposing to serve”.

However, Montana's application stated:

“OCHE policy 402.0 Equal Employment Opportunity ensures that Montana GEAR UP recruits, appoints, assigns, trains, evaluates, and promotes all personnel on the basis of merit and qualifications regardless of race, color, religion, creed, political ideas, sex, gender identity, sexual orientation, age, marital status, physical or mental disability, national origins, or ancestry unless based on reasonable grounds. In accordance with OCHE policy 406.0 Vacancies and Promotions and the American Indian hiring preference in accordance with 2-18-111 Montana Code Annotated, MTGU encourages applications for employment for traditionally underrepresented persons. The MTGU coordinators are local school district employees with knowledge of the culture and community and are hired according to their district hiring policies.”

This rejection of Montana's GEAR Up application clearly demonstrates that unelected bureaucrats in Washington D.C. simply do not understand rural states like Montana and would rather push their own ill-advised agendas on hiring practices than actually help the students that would benefit from this funding. Ironically, this subjective ruling will actually have real, negative consequences for Native American students and others that would benefit from additional GEAR Up resources. The Montana University System explicitly and adequately answered the question. I request your immediate reconsideration of this matter and look forward to your response.

Sincerely,

A handwritten signature in blue ink that reads "Jon Tester". The signature is written in a cursive style with a long horizontal line extending from the end of the name.

Jon Tester
United States Senator