

## NOTES ON CORONAVIRUS FUNDING

ESSERF (Elementary and Secondary Schools Emergency Relief Fund) Title VIII of Division B of the CARES (Coronavirus Aid, Relief, and Economic Security **Act**) Act (part of the Education Stabilization Fund)

Ed Week April 16, 2020, Rick Hess interview of Nora Gordon, GU economics professor, expert on federal education spending,

[https://blogs.edweek.org/edweek/rick\\_hess\\_straight\\_up/2020/04/what\\_coronavirus\\_and\\_the\\_cares\\_act\\_mean\\_for\\_school\\_budgets.html](https://blogs.edweek.org/edweek/rick_hess_straight_up/2020/04/what_coronavirus_and_the_cares_act_mean_for_school_budgets.html): Intended for short-term response, including but not limited to public-health coordination, sanitation, ed tech, summer school, after-school, mental health. At school and district levels “providing principals and others [sic] leaders with the resources necessary to address the needs of their individual schools” and “activities necessary to maintain the operation of and continuity of services in local educational agencies.” Funds flow to states. DE guidance important.

To be distributed within states according to existing district Title I allocations. ESSERF has no supplement not supplant provision. Title I counterfactual situation without Title I funds out the window here. ESSERF has a maintenance of effort requirement but also a waiver option where local revenue cannot remain at prior levels. Private school equitable services requirement unclear.

Recommends maximum flexibility and spending to offset “parental income shocks” right now. Getting kids back on track with summer school, extended day, tutoring in coming years.

School Services California Inc.: <https://www.sscal.com/publications/fiscal-reports/22-trillion-federal-stimulus-package-covid-19-signed-law>: 90% to be passed through to LEAs using Title I formula. Can be used for online learning tech, sanitation supplies, mental health services, activities authorized by ESEA, IDEA, Perkins, etc. To extent practicable pay employees and contractors. Funding for 2021 and 2022 supposed to be at least the same as average spent on education over the prior three fiscal years but DE can waive.

ESSER Fund Notice: Deadline to apply is July 1, 2020; certification and Agreements processed as received and funds obligated on rolling, expedited basis expecting SEAs and LEAs to spend quickly. Maintenance of effort. State must maintain support of el-sec and higher ed and “may not include support for capital projects or for research and development or tuition and fees paid by students” in FY20 and FY21 “at least at the levels of such support that is the average of such State’s support for elementary and secondary education and for higher education in the three FYs preceding March 27, 2020.” But Secretary may waive the requirement “for the purpose of relieving fiscal burdens on States that have experienced a precipitous decline in financial resources.” Must, to extent practicable, pay employees and contractors “based on the unique financial circumstances of the entity.” Generally not to be used for bonuses, merit pay or similar expenditures unless related to disruptions or closures from virus. SEA must provide technical assistance to LEAs on use of ESSER funds for remote learning.

ESSERF Certification and Agreement: LEAs may use funds for any purposes listed in section 18003(d) of the CARES Act. Purpose is to address impact that virus has had and continues to have on schools. Includes both continuing to provide educational services such as remote learning and developing and implementing plans for return to normal operations. SEA reserve (from the 10%) for emergency needs. Cannot subsidize or offset executive salaries and benefits of non-employees or expenditures related to

faculty unions. LEA must provide “equitable services to students and teachers in non-public schools located within the LEA in the same manner as provided under section 1117 of the ESEA....”

Appendix A (from statute): LEA may use funds for

1. Any activity authorized by ESEA, IDEA, etc.
2. Coordination of preparedness and response efforts with other agencies
3. Providing principals and other school leaders with resources necessary to address the needs of their individual schools
4. Activities to address unique needs of low-income children, children with disabilities, ELL, racial/ethnic minorities, homeless and foster care
5. Procedures and systems to improve preparedness and response efforts
6. Training and PD for staff on sanitation, preventing spread
7. Supplies to sanitize facilities
8. Planning and coordinating including meals and online technology and continuation of educational services
9. Educational technology for students
10. Mental health services
11. Summer learning, afterschool
12. Other activities necessary to maintain operation of and continuity of services and continuing to employ existing staff

Equitable services in consultation with nonpublic schools, which must operate in accordance with state law and be in existence prior to date of qualifying emergency.

ESSER Fund State Allocations Table: DC allocation is \$42,006,342, with minimum LEA distribution of \$37,805,719 and maximum SEA reservation of \$4,200,635. LEAs are to receive allocations as with Title I. In FY 2019, DCPS received \$32,525,089 in main Title I allocation and charter schools received \$18,900,712 of total of \$51,425,801, according to attachment Q86, OSSE responses Performance Oversight Hearings, February 2020. DCPS thus received 63.2% and charters received 36.8%. Applying those percentages to ESSERF, charters would receive \$13,912,505 and DCPS would receive \$23,910,845. However, funding for “equitable services” for private schools is included in the DCPS allocation. <https://osse.dc.gov/sites/default/files/dc/sites/osse/publication/attachments/2019%20Equitable%20Services%20Notification.pdf>. Preliminary allocations for FY 2019 for DCPS were \$29,157,204 of which \$1,821,479, or 6.2% was for private school services. 6.2% of \$23,910,845 would be \$1,493,734 for private schools, leaving \$22,417,111 for DCPS. In FY 2020 DCPS budget for Title I is \$29,540,409 of which \$2,102,742 was budgeted for equitable services, or 7.1%. 7.1% of \$23,910,845 is \$1,702,019, leaving \$22,208,826 for DCPS. Total Title I including charters not publicly available.

GEERF (Governor’s Emergency Education Relief Fund) (part of Education Stabilization Fund)

Notice of Funds: grants by formula to governors to provide LEAs, institutions of higher education and other education related entities with emergency assistance to address impact of coronavirus on students and parents, including continuance of educational services while schools are closed and supporting on-going functionality. Subgrants to LEAs and IHEs most significantly impacted. Equitable services for private schools required. Maintenance of effort but waivable. To extent practicable, pay employees and contractors but not SEA executives, unions, etc.

State Allocations Table: DC allocation is \$5,807,678. 63.2% of that is \$3,670,452 for DCPS and \$2,137,226 for charters. DCPS share for private school services is \$260,602, leaving \$3,409,850 for DCPS.

Put the two parts together:

	Total	DCPS	Charters	Private schools	OSSE
% of non SEA \$\$		56%	37%	7%	
ESSERS	\$42,006,342	\$22,181,696	\$13,912,505	\$1,711,519	\$4,200,635
GEER	\$5,807,678	\$3,407,531	\$2,137,226	\$262,922	\$01
Total	\$47,814,020	\$25,589,226	\$16,049,730	\$1,974,441	\$4,200,635

ESF-REM: (Education Stabilization Fund-Rethink K-12 Education Models) (part of Education Stabilization)

Purpose to provide discretionary grants to SEAs in states with highest coronavirus burden to address specific educational needs of students, parents and teachers. Must include addressing of remote learning. Must address one and only one of three absolute priorities: 1) microgrants to allow parents to meet educational needs of children through increased access to high-quality remote learning; 2) development or expansion of high quality course-access program or statewide virtual school enabling students to select from different courses offered by any public school in the state or by third party providers; 3) proposed educational strategies demonstrating rationale to address specific educational needs of state as related to remote learning. [Lengthy descriptions follow] Equitable access for private school students required.

Maintenance of effort: Support for elementary, secondary and higher education in three fiscal years preceding March 2020