

**Coronavirus Aid, Relief, and Economic Security Act
Elementary and Secondary School Emergency Relief Fund - Sec. 18003
April 9, 2020**

President Donald Trump signed the Coronavirus Aid, Relief and Economic Security (CARES) Act into law on March 27, 2020. The purpose of the CARES Act is to provide states with funding to prevent, prepare for and respond to the COVID-19 pandemic.

The Elementary and Secondary School Emergency Relief Fund is anticipated to provide the Missouri Department of Elementary and Secondary Education (DESE) an estimated \$208,443,000 (figure provided by Congressional Research Service).

- This funding stream is allocated to DESE and must be appropriated as follows:
 - An estimated \$187,598,700 or 90% must be distributed based on the Title I formula FY19, with equitable services provided to non-public schools.
 - The remaining estimated \$20,844,300 or 10% may be used for emergency needs as determined by DESE to address issues responding to coronavirus. This may be addressed through the use of grants or contracts. A small portion of this amount will be used for administrative costs.

The funds must be allocated by DESE within one year of receipt or the funds must be returned to the federal government.

LOCAL EDUCATION AGENCY (LEA) ALLOCATIONS

LEAs that received an allocation under Title I, Part A of the Elementary and Secondary Education Act (ESEA) of 1965 in FY20 are eligible for the relief funds. The amount of funds LEAs will be eligible for is based on the percentage of Title I, Part A, allocated to the LEA in FY20.

Although these funds will be allocated on the basis of Title I distributions, **these funds are not Title I funds and do not have the same restrictions.**

ALLOWABLE USES

LEAs that receive funds under this title may use the funds for any of the following:

- (1) Any activity authorized by the ESEA, the Individuals with Disabilities Education Act (20 U.S.C. 1400, et seq.) (IDEA), the Adult Education and Family Literacy Act (34 U.S.C. 463 et seq.), the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301, et seq.), or subtitle 8 of Title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431, et seq.).
- (2) Coordination of preparedness and response efforts of LEAs with state, local, tribal and territorial public health departments and other relevant agencies to improve coordinated responses among such entities to prevent, prepare for and respond to coronavirus.

- (3) Providing principals and others school leaders with the resources necessary to address the needs of their individual schools.
- (4) Activities to address the unique needs of low-income children or students, children with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and foster care youth, including how outreach and service delivery will meet the needs of each population.
- (5) Developing and implementing procedures and systems to improve the preparedness and response efforts of LEAs.
- (6) Training and professional development for staff of the LEA on sanitation and minimizing the spread of infectious diseases.
- (7) Purchasing supplies to sanitize and clean the facilities at the LEA, including buildings operated by such agency.
- (8) Planning for and coordinating during long-term closures, including how to: provide meals to eligible students, provide technology for online learning to all students, provide guidance for carrying out requirements under the IDEA and ensure other educational services can continue to be provided consistent with all federal, state and local requirements.
- (9) Purchasing educational technology (including hardware, software and connectivity) for students who are served by the LEA that aids in regular and substantive educational interaction between students and their classroom instructors, including low-income students and students with disabilities, which may include assistive technology or adaptive equipment.
- (10) Providing mental health services and supports.
- (11) Planning and implementing activities related to summer learning and supplemental afterschool programs, including providing classroom instruction or online learning during the summer months and addressing the needs of low-income students, students with disabilities, English learners, migrant students, students experiencing homelessness and children in foster care.
- (12) Other activities that are necessary to maintain the operation of and continuity of services in LEAs and continuing to employ existing staff of the LEA.

EQUITABLE SERVICES UNDER THE CARES ACT

- The control of funds for the services and assistance provided to a nonpublic school under subsection (a), and title to materials, equipment, and property purchased with such funds, shall be in a public agency, and a public agency shall administer such funds, materials, equipment, and property and shall provide such services (or may contract for the provision of such services with a public or private entity). This means the LEA must provide services to eligible students and teachers in nonpublic schools. Public funds may not be sent to the nonpublic school directly from DESE or from the public school district. ESEA requires an LEA to maintain control of funds, materials, and equipment.

FUNDS RECEIVED

- An LEA, state, institution of higher education or other entity that receives funds under the “Education Stabilization Fund” shall, to the greatest extent practicable, continue to pay its employees and contractors during the period of any disruptions or closures related to coronavirus (Sec.18006).

LEA DOCUMENTATION

- LEAs will be required to keep documentation of expenditures (receipts, purchase orders, etc.).

TO BE DETERMINED

- Can LEAs use funds to pay for expenditures that have already been incurred?
- Will LEAs be allowed to carry over dollars that would otherwise need to be returned?
- How will LEAs need to track expenditures?
- How will the non-public proportionate equitable share be determined?
- Will the bypass provision apply to the Coronavirus Aid, Relief, and Economic Security Act?

WHAT HAPPENS NEXT

- DESE is awaiting the release of the application from the U.S. Education Department (USED).
- Once the application is received, DESE will complete and submit the application.
- When DESE receives an award, LEAs will receive further information regarding the process for LEAs to receive funds.
- DESE will be developing a process for LEAs to receive these funds.

The Governor's Emergency Education Relief Fund is anticipated to provide an estimated \$54,620,000 (figure provided by Congressional Research Service).

- This funding stream is allocated to the Governor's Office for both K-12 and higher education.
- Guidance related to this section will follow.
 - These funds can be used to:
 - “(1) provide emergency support through grants to LEAs that the state educational agency deems have been most significantly impacted by coronavirus to support the ability of such LEAs to continue to provide educational services to their students and to support the ongoing functionality of the LEA;
 - (2) provide emergency support through grants to institutions of higher education serving students within the state that the Governor determines have been most significantly impacted by coronavirus to support the ability of such institutions to continue to provide educational services and support the ongoing functionality of the institution; and
 - (3) provide support to any other institution of higher education, LEA or education-related entity within the state that the Governor deems essential for carrying out emergency educational services to students for authorized activities described in section 18003(d)(1) of this title or the Higher Education Act, the provision of child care and early childhood education, social and emotional support, and the protection of education-related jobs.”

Questions about the CARES Act can be sent to federalfinancial@dese.mo.gov.

Additional information and guidance about COVID-19 and its impact on DESE and/or LEA operations can be found at dese.mo.gov/COVID19.