

## Education Stabilization Fund Guidance Released

The CARES Act provides for significant funding to states through the Education Stabilization Fund (ESF). On Thursday, April 30<sup>th</sup>, the US Department of Education released an [FAQ document](#) to clarify how state education agencies (SEAs) and local education agencies (LEAs) are to provide equitable services to students and teachers in non-public schools. Note this applies only to non-profit private schools; for-profit schools are excluded.

As noted in MPPI's [overview](#) of the Education Stabilization Fund, the CARES Act requires LEAs who receive funding either through the Governor's Emergency Education Relief Fund (GEER) or through the Elementary and Secondary School Emergency Relief Fund (ESSER) to provide equitable services to non-public schools.

### How Can These Funds Benefit My School?

There are 12 acceptable uses for ESSER funds outlined in the CARES Act, which we have listed at the end of this document. They encompass purchasing cleaning supplies, purchasing technology, implementing summer learning activities, and professional development among many others. While the focus of this document is on ESF funds available to non-public schools through their LEAs, GEER funds will be distributed at the governor's discretion and can be used to support early childhood programs among other uses.

### What Do I Need to Do?

FAQ #6 states that, "an LEA is responsible for initiating the consultation process. It must contact officials in all non-public schools in the LEA to notify them of the opportunity for their students and teachers to obtain equitable services under the CARES Act programs. Through this initial contact, the LEA can explain the services available under the CARES Act programs and how non-public school students and teachers can participate. If non-public school officials have not been contacted, they may contact the LEA or the State ombudsman to inquire about equitable services under the CARES Act programs."

If you know you want to participate or get more information about participation, be on the lookout for communications from your LEA. If you have not heard anything from your LEA in a couple of weeks, contact the LEA to inquire about their timeline for consultation with non-public schools.

\*\*Your school need not have participated in any Title programs nor have Title I eligible students enrolled in order to participate. If your LEA communicates either of these stipulations to you, you can refer them to the FAQ document, specifically questions 7 and 8.

### How Would the Funds Be Given to My School?

An LEA must retain both control of the funds and title to property purchased with the funds, so your school will not simply be given a check. Once you have been allotted your proportionate share of funds, your LEA will likely establish a requisition process through which your school can purchase supplies, contract with service providers or have teachers reimbursed for

professional development. It is likely that non-consumable supplies, such as technology purchases would remain property of the LEA, and essentially be “on loan” to your school.

Because these funds are controlled by the LEA and not given directly to schools, schools that participate are NOT considered recipients of Federal financial assistance.

### **How Much Money Will We Get?**

There is no way to know ahead of time how much money your individual school could receive. First, each state is given a different amount of money in proportion to their number of Title I students. Then the state distributes funds to the LEAs in proportion to their Title I population. The pot of money that any LEA receives is then to be divided proportionally between the public-school students and non-public school students *from non-public schools who choose to participate*. If your school is located in a school district with a high Title I student count and there aren't many private schools participating in this funding stream, your allotment will be higher than a school that is in a district with a lower Title I population and/or more non-public schools participating. If your school is located in a district that has no Title I student population, you will not get any allotment.

Also note that these funds are designated for K-12 students, so the amount your school is allotted will depend on the number of K-12 students and will not include younger children. In addition, while some authorized activities will apply to your entire school, such as the purchase of cleaning supplies, teachers in infant/toddler programs likely will be ineligible for reimbursement of professional development as they do not have any K-12 aged students in their classrooms.

### **What are My Next Steps?**

- Review the list of authorized activities below and determine whether your school could benefit from participating in this funding stream.
- Make a list of possible ways you would use funds, so you have those available to discuss with your LEA once you have your consultation.
- Be on the lookout for communication from your LEA asking if your school wants to participate. If you have never participated in equitable services through the various Title programs, it is possible your LEA may not know your school exists and reaching out to them proactively to express your interest could be advisable.
- Let MPPI or your state advocacy group leaders know if you run into any issues or roadblocks.

### **Acceptable uses of Education Stabilization Funds outlined in the CARES Act:**

“(1) Any activity authorized by the ESEA of 1965, including the Native Hawaiian Education Act and the Alaska Native Educational Equity, Support, and Assistance Act ([20 U.S.C. 6301](#) et seq.), the Individuals with Disabilities Education Act ([20 U.S.C. 1400](#) et seq.) (“IDEA”), the Adult Education and Family Literacy Act ([20 U.S.C. 1400](#) et seq.), the Carl D. Perkins Career and Technical Education Act of 2006 ([20 U.S.C. 2301](#) et seq.) (“the Perkins Act”), or subtitle B 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 local educational agencies 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 local educational agencies.
- (6) Training and professional development for staff of the local educational agency on sanitation and minimizing the spread of infectious diseases.
- (7) Purchasing supplies to sanitize and clean the facilities of a local educational agency, including buildings operated by such agency.
- (8) Planning for and coordinating during long-term closures, including for how to provide meals to eligible students, how to provide technology for online learning to all students, how to provide guidance for carrying out requirements under the Individuals with Disabilities Education Act ([20 U.S.C. 1401](#) et seq.) and how to 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 local educational agency 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 local educational agencies and continuing to employ existing staff of the local educational agency.”

For a more thorough understanding of what might be an activity authorized by ESEA and IDEA (#1 in the list above) you can refer to [this chart](#).