



# NCEA Webinars

*Leadership and Governance*

## Serving Catholic Schools with CARES Act Funding

*Jennifer Daniels,  
Associate Director for Public Policy  
USCCB, Secretariat for Catholic Education*

*Dale McDonald, PBVM, PhD,  
Director of Public Policy  
NCEA*



# AGENDA

- What is the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) and what does it provide for Catholic schools?
- Review of timeline and recent events.
- What is the Education Stabilization Fund (ESF) that is part of CARES?
- What benefits can Catholic schools receive under the ESF section of the law?
- How do Catholic schools access the allowable benefits?
- How should Catholic schools be preparing proactively to be ready to access the benefits?



# CARES Act Timelines

- On March Congress passed the Coronavirus Aid, Relief, and Economic Security Act – CARES Act that provided the first large economic stimulus package to combat the impact of the COVID-19 that included aid to schools under several sections.
- On April 14, the US Department of Education issued applications for the states to apply for the Governor’s fund program with money to be sent to the states within 15 days of the application approval.
- On April 23, the US Department of Education issued applications for the states to apply for the K-12 aid to be sent to the states within 3 days of application approval.
- On April 30, the US Department of Education issued a set of Q&As about how equitable services are to be provided to students and teachers in private schools.
- Congress may yet again appropriate funds for additional benefits – timelines move quickly and Catholic schools need to be prepared to act as quickly!



# CARES Act Differs From Other Federal Education Programs

- CARES is a new emergency aid program – it is not a Title I or ESSA program.
- The Title I federal funding formula is used to determine and distribute the money to the states and local public school districts.
- The allocation of funds to serve students does NOT follow the Title I model.
- The CARES Act references Title I for two purposes only:
  1. to determine the distribution of funds to SEAs and LEAs and
  2. to focus on all the required consultation provisions for determining how the private school share of the funds will be expended.
- Equitable services under the CARES Act programs may benefit a non-public school, such as purchasing supplies to sanitize and clean the facility, or as any activity authorized under the ESEA. Supplement, not supplant, does not apply.



# CARES ACT Education Stabilization Fund Provisions

- Two programs in the ESF require a local educational agency (LEA) that receives funds to provide equitable services to students and teachers in non-public schools:
- GEER Fund (Governor's Emergency Education Relief Fund) totaling \$2,953,230,000
- ESSER Fund (Elementary and Secondary School Emergency Relief Fund) totaling \$13,229,265,000 (Section 18003 of the CARES Act)
- Rethink K-12 Education grant: \$180 million competitive for Secretary to states most severely impacted by COVID-19 The Rethink K-12 Education Models (REM) Grant will allow state educational agencies (SEAs) to compete for funds in support programs in three categories including microgrants for families; statewide virtual learning and course access programs; and field-initiated models for providing remote education.



# Governor's Emergency Education Relief Fund

- Governors' Emergency Relief Fund (GEER): \$2,953,230,000 billion
- This is a direct grant to the governor of a state to “support to any other institution of higher education, local educational agency, or education-related entity within the State that the Governor deems essential for carrying out emergency educational services to students...the provision of child care and early childhood education, social and emotional support, and the protection of education-related jobs.”
- The governor has discretion in using the funds, but if money goes to a K-12 district in which the private school is located, equitable services must be provided to the private school.



# Elementary and Secondary School Emergency Relief Fund

K-12 program (ESSER)

- Elementary and Secondary Education: \$13,953,230,000 billion in formula funding directly to states, to help schools respond to coronavirus and related school closures, meet the immediate needs of students and teachers, improve the use of education technology, and support distance education.
- Funding for the K-12 portions will be allocated to the states and then to the districts using the current formula for Title I. The process for distribution to the individual schools is on a per-capita basis – not the ordinary LEA Title I formula.
- The law states a number of acceptable uses of the funding as in Every Student Succeeds Act, including “other activities that are necessary to maintain the operation of and continuity of services” that could include aspects of the general operations the school.



# Requirement to Provide Equitable Services to Students and Teachers in Non-public Schools

## Eligibility:

- All students and teachers in all non-public schools – even if they have not participated in any federal programs prior to the CARES programs.

## Responsibility:

- The LEA in which the private school is located must provide services to all private schools that intend to participate in the GEER or ESSER programs.

## Control of funds:

- Schools do not receive funding directly; the LEA controls the funds and pays the bills or orders supplies and materials on behalf of the school.

## Recipient status:

- Receipt of goods and services does NOT make the school a recipient of federal funds.





# Determining Proportionate Share of Funding

Who is to be counted:

- The LEA must count ALL students in the private school that is located within that district to obtain the ratio of public and private school students.

Data the LEA needs to determine proportionate share:

- Only the total enrollment of the students in grades K-12 as of March 13, 2020
- Poverty data or at-risk status of students is not part of the calculation so is not needed

How the proportionate share is to be calculated:

- LEA determines the overall number of children who are enrolled in public schools and private schools in the LEA that wish to participate under one or both CARES Act programs and creates the ratio of public to private students



# How LEA Must Calculate Proportional Share (Example)

**LEA Received \$1 million - - GEER \$100,000 ESSER: \$900,000**

	Public	Private	Total	Per Pupil
Enrollment	1,350	150	1,500	
Proportion	90%	10%	100%	
Proportional Share GEER	\$90,000	\$10,000	\$100,000	\$66.67
Proportional Share ESSER	\$810,000	\$90,000	\$900,000	\$600.00



# Available Services and Benefits Under the CARES Act Programs

1. Any activity authorized by the ESEA of 1965, including the Native Hawaiian Education Act and Individuals with Disabilities Education Act
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



# Allowable Benefits and Services

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 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.



# Allowable Benefits and Services

10. Providing mental health services and supports.
11. Planning and implementing activities related to summer learning and supplemental after school 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.



# Providing equitable services “in the same manner as provided under section 1117 of the ESEA”

- We [US DoE] have interpreted “in the same manner as under section 1117” in light of the significantly broader eligibility and uses of funds authorized under the CARES Act as compared to Title I, Part A, ...we gave meaning to section 1117(a)(3),
- which requires educational services and other benefits for students in non-public schools to be equitable in comparison to those for public school students.
- services that an LEA may provide under the CARES Act programs are available to all public school students and teachers, not only low-achieving students and their teachers as under Title I, Part A.
- there is no limitation on residence in a participating Title I public school attendance area for services provided under the CARES Act programs.
- for CARES Act services to be equitable in comparison to public school students and teachers, the same principles must apply in providing equitable services to non-public school students and teachers



# Initiating the Consultation Process

LEA is responsible for initiating the consultation process -- 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

Equitable services permitted under sections 18002(c)(1) or (3), as applicable, and 18003(d) of the CARES Act must be available:

- to best meet the needs of non-public school students and teachers,
- as determined through timely and meaningful consultation and
- consistent with any specific purposes established by a Governor under the GEER Fund or SEA through the SEA reserve under the ESSER Fund,
- regardless of the specific uses determined by the LEA to meet its own students' and teachers' particular needs.



# Consultation Requirements in CARES Act programs

- CARES Act programs, consultation must occur before an LEA makes any decision that affects the opportunities of non-public students and teachers to receive equitable services.
- LEA must consult with appropriate non-public school officials during the design and development of the services.
- Delivery mechanisms, including third party providers must be discussed.
- LEA and appropriate non-public school officials may agree to pool funds among a group of nonpublic schools and provide equitable services to students and teachers in non-public schools within the pool.
- The LEA and non-public school officials shall both have the goal of reaching agreement on how to provide equitable and effective services.
- If an LEA disagrees with the views of non-public school officials during consultation, the LEA must provide in writing to the non-public school officials the reasons why the LEA disagrees.





# Consultation Requirements

- The SEA must provide notice in a timely manner to appropriate non-public school officials of the allocation of funds for educational services and other benefits that each LEA has determined are available for non-public school students and teachers.
- Meetings between the LEA and nonpublic school officials need not occur in person if they cannot be conducted due to closed schools or social distancing rules.
- The LEA must maintain and provide to the SEA written affirmation signed by non-public school officials that timely and meaningful consultation has occurred– or not occurred
- The non-public school officials have a right to file a complaint with the SEA; the SEA must provide services directly or through contracts if requested to do so by non-public school officials and the SEA determines that the LEA did not meet applicable requirements



# Take Proactive Active Steps!

- Private schools should be proactive -- don't wait – inform the LEA of their intent to participate ASAP.
- Private schools that have not participated prior to CARES programs should let the LEA know they exist and intend to participate.
- Provide the LEA with the accurate number of students enrolled in the school as of March 13, 2020.
- Be prepared with lists of needs to be funded under ESSER or GEER and how they requests for funding will be utilized – think ahead to what is/might be needed for the remainder of this school year into the next.
- Funds may be used until September 30, 2021.
- If no follow-through, the 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.



# Additional Resources

- National Catholic Educational Association Newsroom: <http://www.ncea.org/Newsroom>
- United States Conference of Catholic Bishops: <http://www.usccb.org/>
  - Sign up for the USCCB Catholic Education Newsletter here: <http://www.usccb.org/beliefs-and-teachings/how-we-teach/catholic-education/index.cfm>
- US Department of Education: <https://www.ed.gov/coronavirus?src=feature>
  - <https://oese.ed.gov/offices/education-stabilization-fund/elementary-secondary-school-emergency-relief-fund/>
  - <https://oese.ed.gov/offices/education-stabilization-fund/governors-emergency-education-relief-fund/>

## Contact us

**Jennifer Daniels**

[jdaniels@usccb.org](mailto:jdaniels@usccb.org)

Associate Director for Public Policy

USCCB, Secretariat for Catholic Education

**Dale McDonald, PBVM, PhD**

[mcdonald@ncea.org](mailto:mcdonald@ncea.org)

Director of Public Policy

NCEA



# Questions?

