

# U.S. Department of Education

## Certification and Agreement for Funding under the Education Stabilization Fund Program Governor's Emergency Education Relief Fund

CFDA Numbers: 84.425C



OMB Number: 84.425C  
Expiration Date: Oct 31, 2020

### Paperwork Burden Statement

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. The OMB control number for this information collection is 1810-0741. The time required to complete this information collection is estimated to average .5 hours (or 30 minutes) per response, including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection. If you have any comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to: U.S. Department of Education, Washington, D.C. 20202-4537. If you have comments or concerns regarding the status of your individual submission of this form, write directly to: [GEERF@ed.gov](mailto:GEERF@ed.gov).

## **PROGRAM BACKGROUND INFORMATION**

### **Purpose**

Under the Governor's Emergency Education Relief Fund (GEER Fund), the U.S. Department of Education (Department) awards grants to Governors for the purpose of providing local educational agencies (LEAs), institutions of higher education (IHEs), and other education related entities with emergency assistance as a result of the Novel Coronavirus Disease 2019 (COVID-19).

### **Eligibility**

Governors in all 50 States and the Commonwealth of Puerto Rico, as well as the Mayor of the District of Columbia.

### **Funding**

The Department will award \$2,953,230,000 to Governors:

1. 60% based on the State's population of individuals aged 5 through 24; and
2. 40% based on the relative number of children counted under section 1124(c) of the Elementary and Secondary Education Act of 1965, as amended (ESEA).

### **Timeline**

Each Governor will have one year, from the date of the State's award, to award funds. Any funds not awarded by the Governor within one year of receiving the State's award will be returned to the Department for reallocation.

### **Uses of Funds**

1. Provide emergency support through grants to the LEAs that the State educational agency (SEA) deems to have been most significantly impacted by COVID-19 to support the ability of such LEAs to continue to provide educational services to public and non-public school students and to support the on-going functionality of the LEA;
2. Provide emergency support through grants to IHEs serving students within the State that the Governor determines have been most significantly impacted by COVID-19 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 IHE, 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 the CARES Act or the Higher Education Act of 1965, as amended (HEA), the provision of childcare and early childhood education, social and emotional support, and the protection of education-related jobs.

### **Contact**

Email: [GEERF@ed.gov](mailto:GEERF@ed.gov)

# CERTIFICATION AND AGREEMENT INSTRUCTIONS

## GENERAL INSTRUCTIONS

To receive the State's allocation under the GEER Fund, a Governor must submit a signed PDF Certification and Agreement, by email, to the U.S. Department of Education (Department) at [GEERF@ed.gov](mailto:GEERF@ed.gov) no later than June 1, 2020. The Certification and Agreement must include the following:

- A completed Certification and Agreement cover sheet that includes the signature of the Governor or authorized representative. *(Part A)*
- Programmatic, fiscal and reporting assurances. *(Part B)*
- Information on the uses of the Governor's Emergency Education Relief Funds. *(Part C)*
- Other assurances and certifications. *(Part D)*

## APPENDICES

- Appendix A – Authorizing Statute
- Appendix B – State Allocation Data

**GOVERNOR'S EMERGENCY EDUCATION RELIEF FUND  
PART A: CERTIFICATION AND AGREEMENT COVER SHEET  
(CFDA Nos. 84.425C)**

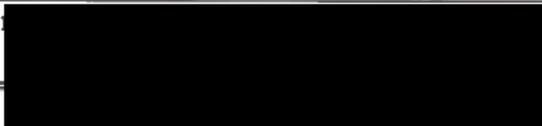
<p>Legal Name (Office of the Governor):  Office of Illinois Governor JB Pritzker</p>	<p>DUNS Number:  <u>8</u> <u>0</u> <u>6</u> <u>8</u> <u>1</u> <u>2</u> <u>5</u> <u>5</u> <u>8</u>  (DUNS Number of the Illinois State Board of Education, the Governor's Office fiscal agent)</p>
<p>Address (Street Number and Name, City, State, Zip Code):  <u>Chicago Office:</u> James R. Thompson Center 100 West Randolph, 16-100 Chicago, Illinois 60601  <u>Springfield Office:</u> 207 State House Springfield, Illinois 62706</p>	<p>Contact Information for State Program Representative:  Name: Jesse Ruiz  Position &amp; Office: Deputy Governor for Education  Street Number and Name, City, State, Zip Code: <u>Chicago Office:</u> James R. Thompson Center 100 West Randolph, 16-100 Chicago, Illinois 60601  <u>Springfield Office:</u> 207 State House Springfield, Illinois 62706  Telephone: (872) 769-8537  Email address: <a href="mailto:jesse.ruiz@illinois.gov">jesse.ruiz@illinois.gov</a></p>
<p>To the best of my knowledge and belief, all of the information and data in this certification and agreement are true and correct. I acknowledge and agree that the failure to comply with all Assurances and Certifications in this Agreement, all relevant provisions and requirements of the Coronavirus Aid, Relief, and Economic Security Act or CARES Act, Pub. L. No. 116-136 (March 27, 2020), or any other applicable law or regulation may result in liability under the False Claims Act, 31 U.S.C. § 3729, <i>et seq.</i>; OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement) in 2 CFR part 180, as adopted and amended as regulations of the Department in 2 CFR part 3485; and 18 USC § 1001, as appropriate.</p>	
<p>Governor or Authorized Representative of the Governor (Typed Name):  Jesse H. Ruiz, Deputy Governor for Education</p>	<p>Telephone: (872) 769-8537</p>
<p>Signature of Governor or Authorized Representative of the Governor:  </p>	<p>Date: May 21, 2020</p>

**GOVERNOR'S EMERGENCY EDUCATION RELIEF FUND  
PART B: PROGRAMMATIC, FISCAL, AND REPORTING ASSURANCES**

The Governor or his/her authorized representative assures the following:

- Solely as authorized by Section 18002 of Division B of the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), Pub. L. No. 116-136 (March 27, 2020), and subject to all other applicable laws, funds will be used for one or more of the following:
  - To provide emergency support through grants to the local educational agencies (LEAs) that the State educational agency (SEA) deems most significantly impacted by COVID-19 to support the ability of such LEAs to continue to provide educational services to public and non-public school students and to support the on-going functionality of the LEA;
  - To provide emergency support through grants to institutions of higher education (IHEs) serving students within the State that the Governor determines have been most significantly impacted by COVID-19 to support the ability of such institutions to continue to provide educational services and support the on-going functionality of the institution; and
  - To provide support to any other IHE, 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 the CARES Act or the Higher Education Act of 1965, as amended (HEA), the provision of childcare and early childhood education, social and emotional support, and the protection of education-related jobs.
- The State will comply with the maintenance of effort provision in Section 18008(a) of Division B of the CARES Act absent waiver by the Secretary pursuant to Section 18008(b) thereof.
- The State, and each LEA, IHE, and other education-related entity that receives GEER funds will, to the greatest extent practicable, continue to pay its employees and contractors during the period of any disruptions or closures related to COVID-19 in compliance with Section 18006 of Division B of the CARES Act.
- The State will submit to the Department, within 45 days of receiving GEER funds, an initial report detailing the State's process for awarding those funds to LEAs, IHEs, or other education-related entities, including the criteria for determining those entities that are "most significantly impacted by coronavirus" and/or "essential for carrying out emergency educational services" and a description of the process and deliberations involved in formulating those criteria.
- The State will use its best efforts to provide grant funding on an expedited basis.
- The State will comply with all reporting requirements including those in Section 15011(b)(2) of Division B of the CARES Act and submit required quarterly reports to the Secretary, at such time and in such manner and containing such information as the Secretary may reasonably require in the future. (See also 2 CFR 200.327-200.329). The Secretary may require additional reporting in the future, which may include:
  - Specific entities awarded GEER funds by the Governor;
  - Uses of funds by the SEA, LEAs, IHEs, or other educational entities and demonstration of their compliance with Section 18002(c), including any use of funds was applied to support addressing digital divide and related issues in distance learning;

- The number of public and non-public schools that received funds or services; and
- A description of the internal controls the State has in place to ensure that funds were used for allowable purposes and in accordance with cash management principles.
- Generally speaking, the Department does not expect administrative or executive salaries and benefits for IHEs, SEAs, or the other education related entities referenced at § 18002(c)(3) to be a lawful purpose for GEER funds.
- Similarly, the Department does expect increased reporting requirements if these funds are used for payments to education related entities. If a State, in the exercise of its discretion, allows GEER funds to be used accordingly, then it must report the amount of GEER funds (a) (i) used for, to subsidize, or to offset administrative or executive salaries and benefits and/or (ii) provided to or for the benefit of state, local, or IHE teacher or faculty unions or associations; and (b) a detailed description of the evidence providing a reasoned basis for the determination such funds (if any) are necessary to provide educational services to students and/or to support the on-going functionality of a LEA or IHE, or are otherwise specifically authorized by the plain statutory language and context of § 18002(c)(3) of the CARES Act.
- The State will ensure that an LEA receiving GEER funds will 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, as determined through timely and meaningful consultation with representatives of non-public schools.
  - The State will ensure that a public agency will maintain control of funds for the services and assistance provided to a non-public school under the GEER Fund.
  - The State will ensure that a public agency will have title to materials, equipment, and property purchased with GEER funds.
  - The State will ensure that services to a non-public school with GEER funds will be provided by a public agency directly, or through contract with, another public or private entity.
- The State will ensure that every recipient and subrecipient of GEER funds will cooperate with any examination of records with respect to such funds by making records available for inspection, production, and examination, and authorized individuals available for interview and examination, upon the request of (i) the Department and/or its Inspector General; or (ii) any other federal agency, commission, or department in the lawful exercise of its jurisdiction and authority.
- The State will return to the Secretary any funds received under the GEER Fund that the State does not award within 1 year of receiving such funds.

Governor or Authorized Representative of the Governor (Typed Name):	
Jesse H. Ruiz, Deputy Governor for Education	
Signature: 	Date: May 21, 2020

**GOVERNOR'S EMERGENCY EDUCATION RELIEF FUND  
PART C: USES OF GOVERNOR'S EMERGENCY EDUCATION FUNDS**

Section 18002 of Division B of the CARES Act provides in relevant part that grants awarded under the Governor's Emergency Education Relief Fund be used to support the ability of local educational agencies (LEAs) and institutions of higher education (IHEs) to continue to provide educational services to their students. The Department is interested in learning how and to what extent each State intends to use the award, or a portion of the award, to establish, develop, improve, or expand the availability, accessibility, capacity, and use of remote learning techniques and technologies which includes both distance education as defined in section 103(7) of the HEA and distance learning as defined in ESEA section 8101(14). The Department requests the following information:

**1. Does the State intend to use any of the awarded funds to support remote learning for all students?**

Yes, the State will distribute the funding across early childhood, K-12 and higher education. In each sector there will be a focus on supporting remote learning for all students.

**Early Childhood:** One key use of GEER funds will be to support remote learning among children enrolled in the state's prekindergarten programs, which are operated both by school districts and community-based providers. The focus will be on providing learning materials accompanied by intensive support for parents to use these materials with their children to support early learning at home.

**K-12:** Illinois recognizes that K-12 school closures have caused unprecedented disruptions in teaching and learning. Awarded funds will be used to eliminate barriers to continuity of education for all students by supporting costs associated with technology hardware, software, and services needed for remote learning; professional learning for school personnel on delivering effective remote instruction; home connectivity for students and teachers; and the development, deployment.

**Higher Education:** Illinois's institutions of higher education have identified barriers to remote learning that especially impact low-income students. Institutions that received GEER funding will be encouraged to use a portion of the funding to address these barriers.

- a. **Please describe whether the State considered conducting an assessment of the barriers to implementing effective remote learning for all students, or utilizing an existing assessment, to help target resources toward greatest needs.**

**PreK-12:** On March 16, 2020 the Illinois State Board of Education administered a technology needs-assessment to all public and private schools in Illinois in order to understand overall needs for delivering remote learning. Questions focused on the quantity of devices, the adequacy of school and home connectivity, professional learning needs, and software and support for synchronous and asynchronous remote learning. The data was used to calculate a preliminary cost estimate of \$421.4 million for the equipment and support needed to ensure remote learning for all students. The needs-assessment established a critical need for additional investments to support technology, professional learning, and connectivity in order to ensure equitable access to learning.

The need for support toward connectivity is also seen in the Federal Communications Commission (FCC)'s State Broadband Maps which indicates availability of home connectivity in Illinois. Conversations and feedback from 36 virtual meetings with 940 educators conducted by the Learning Technology Center of Illinois also reflects the need for professional learning and technology support.

In order to more accurately assess the barriers to implementing effective remote instruction for all students, the Illinois State Board of Education will collect additional data during the application process that schools will complete in order to receive funds and support. The application will collect information on the following key areas:

- Technology hardware, software, and service needs
- Professional learning needs
- Connectivity needs

The survey will contain specific questions to assess the needs of disadvantaged populations within each of the three overarching categories.

**Higher Education:** Throughout the onset of this pandemic, Illinois state higher education leaders and the Governor's Education team have met almost daily with leaders from the states IHEs and conducted extensive outreach and surveys about the emergency needs of students. In particular, this information highlighted the technology preparedness needs and technology gaps for Illinois' low-income and rural students. The top challenges institutions named, as it relates to remote learning, were a lack of access to digital devices that students could use to engage in remote learning (e.g. laptops, Chromebooks, or tablets), a lack of internet access due to its high cost for vulnerable student populations, or lack of access to internet locally, due to limited access points in students' homes and/or communities.

- b. With respect to LEAs, please describe how the State intends to use the funds to help students and teachers adopt or improve remote learning that serves all students, including students with disabilities, students from low-income families, charter school students, and non-public school students.**

The Illinois State Board of Education will develop statewide services and release a grant application for schools to access funding to support all students with remote learning. Schools will be selected based upon eligibility criteria. Statewide and grant funds will support costs associated with the three key areas:

- Technology hardware, software, and service needs
- Professional learning needs
- Connectivity needs

### **Application Process**

Grant funds will be awarded based on the highest needs as identified in the grant application. Grant application questions will assess the quantity of mobile devices required for remote learning, professional learning needs, technology support needs, availability of home access for students and teachers, and availability of curricular resources for remote learning. In addition,

the application will ask districts how they are supporting all students, including students with disabilities, English learners, students from low-income families, charter school students, non-public school students. Scoring of applications will acknowledge that there are multiple factors that influence school needs. Validation of the school's applications will occur as necessary.

Qualifying applications will be awarded funds based on the number of students who are unable to participate in remote learning. To ensure funding is equitably distributed, a cap on funds per school will be identified, and awarded entities will be encouraged to participate in cooperative purchasing to reduce costs. Districts will also be encouraged to leverage additional opportunities presented via other channels of CARES funding to meet overall objectives.

### **Qualifying Expenditures**

Although the immediate support required to enable remote learning include ensuring access to devices and connectivity for teachers and students, we are mindful of the fact that devices and connectivity are ineffective if not paired with substantial investment in professional learning. Therefore, the distribution of funds prioritizes hardware, software, and services as the most expensive component of remote learning while also recognizing professional learning as a substantial need that outweighs connectivity and curricular resources. These needs are represented in Table 1.

***Table 1. Expenditures by Categories***

<b>Expenditures</b>	<b>% of Funds</b>
Technology hardware, software, and services needed for remote learning	55%
Professional learning to develop capacity and expertise for remote learning	30%
Connectivity for remote learning	15%

Professional learning in particular is required for ensuring the effective adoption of technology, quality digital instruction, efficacy of digital curriculum, and significant and impactful teaching and learning. Educators need professional learning that supports systemic change and equips them with educational models, best practices, instructional strategies, and knowledge of the selection and use of the digital tools.

The Illinois State Board of Education also recognizes that home connectivity is a substantial barrier to remote learning. Previous data collection efforts indicate that home access varies substantially across the state for both teachers and students, and that the digital divide affects rural, urban, and suburban communities alike. Fully addressing the connectivity challenges are beyond the scope of these funds; however, awarded funds will be used to identify and deploy immediate, though sometimes short-term, connectivity solutions to the neediest of student populations and develop the foundational components needed to address connectivity issues long-term.

### **Professional Learning**

Funds will be used by the Illinois State Board of Education and awarded entities to help students and teachers adopt or improve remote learning through professional learning.

**Professional Learning.** Awarded entities may use funds to develop capacity and expertise related to remote learning, online learning, and blended learning.

Professional learning must include research-based models and best practices for instruction and assessment in an online, blended, and remote learning environment, an understanding of the most appropriate resources, and continual instructional support. Although professional learning may address tool usage, the primary purpose should be toward effective teaching and learning in a digital environment.

**Curriculum and Curricular Resources.** Awarded entities may use funds to develop, deploy, and adopt curriculum and curricular resources needed for remote learning, online learning, and blended learning.

- A. Curriculum and curricular resources are determined locally based on student needs. Resources must be research-based and aligned to Illinois Learning Standards.
- B. Funds may be used to purchase, license, or subscription of digital education resources, translation of materials for English Learners, etc.
- C. **With respect to IHEs, please describe how the State intends to focus expenditures to ensure that all institutions – public and private – have the needed supports to continue executing their missions and educating their students.**

Illinois has established a funding methodology that prioritizes institutional efforts to attract, retain and graduate the most vulnerable students. These funds will support institutions as they assist low-income students, rural students, and students of color who are graduating from high school in their efforts to make a successful transition to college during the pandemic. These funds will also support institutional efforts to retain vulnerable students (traditional and non-traditional) who may be at risk of dropping out as a result of the pandemic. This includes an emphasis on providing services to help these students with immediate needs that may cause them to drop out of their educational pathway, as well as the necessary technology needed in an alternative, remote or online learning environment. A separate set-aside of funds will be available by application for any institution—public or private—that faces extraordinary challenges in supporting its vulnerable students.

2. **Does the State intend to use any of the awarded funds to support technological capacity and access – including hardware and software, connectivity, and instructional expertise – to support remote learning for all students? If so, please describe how the State will achieve its goals for both LEAs and IHEs.**

### **LEAs: Technology Hardware and Connectivity**

Funds will be used by the Illinois State Board of Education and grant recipients to develop and improve technological capacity and connectivity to support remote learning for all students. The Illinois State Board of Education recognizes that the selection and purchase of technology

devices, software, services, and connectivity are local needs; therefore, funds may be used on a variety of technology and services to best meet needs identified by awarded institutions.

**Technology Hardware, Software, and Services.** Grant fund recipients may use funds to support technology hardware, software, and services for remote learning, including:

- A. Technology hardware needed to deliver and participate in remote learning (i.e., the purchase or lease of devices, peripherals, assistive technology for students with disabilities as determined by IEP teams, etc.)
- B. Technology software to facilitate remote learning and student interactions (i.e., the purchase, license, or subscription of communication tools, learning management systems, security management, and accessibility features for students with disabilities, etc.)
- C. Training to develop technological expertise (i.e., training for educators, administrators, technology personnel, and support staff, etc.)

**Connectivity.** Grant fund recipients may use funds to support home connectivity for remote learning, including:

- A. Technology infrastructure to ensure remote connectivity and access (i.e., mobile hotspots, connectivity fees, community access points, associated costs, etc.)
- B. Technology services to support the connectivity
- C. Training to develop technological expertise related to connectivity (i.e., training for educators, administrators, technology personnel, and support staff, etc.)

To ensure students obtain a foundational level of capacity and access, the Illinois State Board of Education will issue guidance on hardware and connectivity specifications that are needed for remote learning.

**IHEs:** A primary purpose of the allocation the state will make to public IHE's will be to support technological capacity so that low-income students, students of color, and rural students can successfully navigate the transition to college or are able to remain in college. Providing additional support services for these students will be a priority, as well.

- a. **Please describe the strategies used to serve disadvantaged populations listed in Sec. 18003(d)(4) of the CARES Act.**

**Early Childhood:** Illinois's Preschool for All (Prekindergarten) and Prevention Initiative (birth to three) programs target children in the disadvantaged populations listed. These programs (districts and community-based organizations) in communities with especially high rates of child poverty and other disadvantages will be prioritized for GEER Funds. Grant funds will be used to provide intensive outreach to families in disadvantaged populations, both those already enrolled and prospective enrollees; to provide enhanced kindergarten transition services; to provide early childhood mental health consultations services; and to provide resources for home learning.

**K-12:** Grant funds will be awarded to recipients who are able to prove in the application process that they are supporting all students, including disadvantaged populations such as students with disabilities, English learners, students from low-income families, charter school students, non-public school students.

In addition, flexibility in the use of funds will be provided to fund recipients in order to ensure disadvantaged populations are supported in the following key areas:

- Technology hardware, software, and services needed for remote teaching and learning
- Professional learning for school personnel on delivering effective remote teaching
- Connectivity for delivering remote learning

**Higher Education:** Please see response to 1.c. above.

3. **Does the State intend to use any of the awarded funds to support remote learning by developing new informational and academic resources and expanding awareness of, and access to, best practices and innovations in remote learning and support for students, families, and educators? If so, please identify, generally, the resources, best practices, and innovations that the State intends to develop and expand.**

**Early Childhood:** Illinois will invest GEER funds in statewide professional development supports for early childhood programs. Awarded funds will support remote professional development for program staff that aligns the Pyramid Model Framework for best practices that will support healthy social emotional development in children in partnership with their families. In addition, funds will support professional development in parent engagement to support home learning, including the effective use of technology to support home learning for preschool age children.

**K-12:** In addition to the creation of a grant for Illinois schools, the Illinois State Board of Education will utilize the awarded funds to support remote learning through the development of new and existing resources that expand awareness of, and access to, best practices and innovations in remote learning. Funding will be utilized by the Illinois State Board of Education to support statewide professional learning, technology, connectivity, and curricular initiatives that impact all students, families, and educators.

**Professional Learning.** The Illinois State Board of Education will leverage existing statewide professional learning initiatives and create new opportunities to expand awareness and expertise for remote learning. Supported initiatives may include:

1. Expansion of Illinois' existing statewide system of support for educational technology, the Learning Technology Center, to increase technology-related professional learning, technical support, technology services, and instructional coaching for schools and educators;
2. Creation of a statewide virtual or in-person conference on remote learning, online learning, and blended learning;
3. Development of online courses and micro-credentials related to remote learning, online learning, and blended learning;

4. Expansion of partnerships with higher education institutions to identify and promote best practices related to remote learning, online learning, and blended learning;
5. Expansion of educator online communities of practice to increase communication and sharing of best practices; and
6. Professional learning opportunities on competency-based learning, Universal Design for Learning (UDL), project based learning, and other pedagogical supports to equip teachers to reach all student populations through remote learning.

**Technology hardware, software, and services.** The Illinois State Board of Education will expand existing technology initiatives and create new technology resources to support remote learning. Initiatives may include:

1. Expansion of data collection initiatives to include annual reporting of school districts' technology and online learning capabilities;
2. Guidance on hardware and connectivity specifications needed for remote learning;
3. Adoption of a data privacy portal to ensure data security and student safety during remote learning; and

**Technology infrastructure for home connectivity.** The Illinois State Board of Education will expand existing connectivity initiatives and create new connectivity resources to support remote learning. Initiatives may include:

1. Development of a multi-year plan for closing the digital divide and addressing the homework gap;
2. Guidance for parents and community members on remote learning, online learning, and blended learning;
3. Expansion of multi-agency collaborations to increase connectivity, including with the Illinois State Board of Education, the Department of Innovation and Technology, the Illinois Office of Broadband, and Federal agencies involved in broadband connectivity work such as the US Department of Education Office of Educational Technology.

**Development, deployment, and adoption of curriculum and curricular resources.** The Illinois State Board of Education will leverage existing statewide curricular initiatives and create new opportunities to expand awareness and expertise on remote learning. Initiatives may include:

1. Investment in the Illinois Open Education Resources (IOER) to increase awareness and use of open education resources during remote learning;
2. Guidance for adopting research-based digital materials;
3. Development of a State Digital Learning Plan that articulates a comprehensive, multi-agency vision for K-12 educational technology in Illinois; and
4. Development or adoption of personalized learning plans or portfolios to support anytime, anywhere learning.

**Higher Education:** We don't anticipate directing any of the higher education portion to this type of development. However, we have institutions with this expertise and have made resources available for school leaders.

**GOVERNOR'S EMERGENCY EDUCATION RELIEF FUND  
PART D: OTHER ASSURANCES AND CERTIFICATIONS**

The Governor or his/her authorized representative assures or certifies the following:

- The State will comply with all applicable assurances in OMB Standard Forms 424B and D (Assurances for Non-Construction and Construction Programs), including the assurances relating to the legal authority to apply for assistance; access to records; conflict of interest; merit systems; nondiscrimination; Hatch Act provisions; labor standards; flood hazards; historic preservation; protection of human subjects; animal welfare; lead-based paint; Single Audit Act; and the general agreement to comply with all applicable Federal laws, executive orders, and regulations.
- With respect to the certification regarding lobbying in Department Form 80-0013, no Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making or renewal of Federal grants under this program; the State will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," when required (34 CFR part 82, Appendix B); and the State will require the full certification, as set forth in 34 CFR part 82, Appendix A, in the award documents for all subawards at all tiers.
- Any LEA receiving funding under this program will have on file with the State a set of assurances that meets the requirements of Section 442 of the General Education Provisions Act (GEPA), 20 U.S.C. 1232e.
- To the extent applicable, an LEA will include in its local application a description of how the LEA will comply with the requirements of Section 427 of GEPA, 20 U.S.C. 1228a. The description must include information on the steps the LEA proposes to take to permit students, teachers, and other program beneficiaries to overcome barriers (including barriers based on gender, race, color, national origin, disability, and age) that impede access to, or participation in, the program.
- The State and other entities will comply with the provisions of all applicable acts, regulations, and assurances; the provisions of the Education Department General Administrative Regulations in 34 CFR parts 75, 76, 77, 81, 82, 84, 86, 97, 98, and 99; the OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement) in 2 CFR part 180, as adopted and amended as regulations of the Department in 2 CFR part 3485; and the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards in 2 CFR part 200, as adopted and amended as regulations of the Department in 2 CFR part 3474.

Governor or Authorized Representative of the Governor (Typed Name): Jesse H. Ruiz, Deputy Governor for Education	
Signature: 	Date: May 21, 2020

**Appendix A: Relevant Excerpts from Title VIII of Division B of the CARES Act, the Emergency Appropriations for Coronavirus Health Response and Agency Operations**

DEPARTMENT OF EDUCATION

EDUCATION STABILIZATION FUND

For an additional amount for “Education Stabilization Fund”, \$30,750,000,000, to remain available through September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, that such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS

EDUCATION STABILIZATION FUND

SEC. 18001. (a) ALLOCATIONS.—From the amount made available under this heading in this Act to carry out the Education Stabilization Fund, the Secretary shall first allocate—

- (1) not more than 1/2 of 1 percent to the outlying areas on the basis of their respective needs, as determined by the Secretary, in consultation with the Secretary of the Interior;
- (2) one-half of 1 percent for the Secretary of Interior, in consultation with the Secretary of Education, for programs operated or funded by the Bureau of Indian Education; and
- (3) 1 percent for grants to States with the highest coronavirus burden to support activities under this heading in this Act, for which the Secretary shall issue a notice inviting applications not later than 30 days of enactment of this Act and approve or deny applications not later than 30 days after receipt.

(b) RESERVATIONS.—After carrying out subsection (a), the Secretary shall reserve the remaining funds made available as follows:

- (1) 9.8 percent to carry out section 18002 of this title.
- (2) 43.9 percent to carry out section 18003 of this title.
- (3) 46.3 percent to carry out section 18004 of this title.

GOVERNOR’S EMERGENCY EDUCATION RELIEF FUND

SEC. 18002. (a) GRANTS.—From funds reserved under section 18001(b)(1) of this title, the Secretary shall make Emergency Education Relief grants to the Governor of each State with an approved application. The Secretary shall issue a notice inviting applications not later than 30 days of enactment of this Act and shall approve or deny applications not later than 30 days after receipt.

(b) ALLOCATIONS.—The amount of each grant under subsection (a) shall be allocated by the Secretary to each State as follows:

(1) 60 percent on the basis of their relative population of individuals aged 5 through 24.

(2) 40 percent on the basis of their relative number of children counted under section 1124(c) of the Elementary and Secondary Education Act of 1965 (referred to under this heading as "ESEA").

(c) USES OF FUNDS.—Grant funds awarded under subsection (b) may be used to—

(1) provide emergency support through grants to local educational agencies that the State educational agency deems have been most significantly impacted by coronavirus to support the ability of such local educational agencies to continue to provide educational services to their students and to support the on-going functionality of the local educational agency;

(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 on-going functionality of the institution; and

(3) provide 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 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.

(d) REALLOCATION.—Each Governor shall return to the Secretary any funds received under this section that the Governor does not award within one year of receiving such funds and the Secretary shall reallocate such funds to the remaining States in accordance with subsection (b).

#### ELEMENTARY AND SECONDARY SCHOOL EMERGENCY RELIEF FUND

SEC. 18003. (a) GRANTS.—From funds reserved under section 18001(b)(2) of this title, the Secretary shall make elementary and secondary school emergency relief grants to each State educational agency with an approved application. The Secretary shall issue a notice inviting applications not later than 30 days of enactment of this Act and approve or deny applications not later than 30 days after receipt.

(b) ALLOCATIONS TO STATES.—The amount of each grant under subsection (a) shall be allocated by the Secretary to each State in the same proportion as each State received under part A of title I of the ESEA of 1965 in the most recent fiscal year.

(c) SUBGRANTS TO LOCAL EDUCATIONAL AGENCIES.—Each State shall allocate not less than 90 percent of the grant funds awarded

to the State under this section as subgrants to local educational agencies (including charter schools that are local educational agencies) in the State in proportion to the amount of funds such local educational agencies and charter schools that are local educational agencies received under part A of title I of the ESEA of 1965 in the most recent fiscal year.

(d) USES OF FUNDS.—A local educational agency that receives funds under this title may use the funds for any of the following:

- (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 other 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.

(e) STATE FUNDING.—With funds not otherwise allocated under subsection (c), a State may reserve not more than 1/2 of 1 percent for administrative costs and the remainder for emergency needs as determined by the state educational agency to address issues responding to coronavirus, which may be addressed through the use of grants or contracts.

(f) REALLOCATION.—A State shall return to the Secretary any funds received under this section that the State does not award within 1 year of receiving such funds and the Secretary shall reallocate such funds to the remaining States in accordance with subsection (b).

#### ASSISTANCE TO NON-PUBLIC SCHOOLS

SEC. 18005. (a) IN GENERAL.—A local educational agency receiving funds under sections 18002 or 18003 of this title shall provide equitable services in the same manner as provided under section 1117 of the ESEA of 1965 to students and teachers in non-public schools, as determined in consultation with representatives of non-public schools.

(b) PUBLIC CONTROL OF FUNDS.—The control of funds for the services and assistance provided to a non-public 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).

#### CONTINUED PAYMENT TO EMPLOYEES

SEC. 18006. A local educational agency, State, institution of

higher education, or other entity that receives funds under “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.

#### DEFINITIONS

SEC. 18007. Except as otherwise provided in sections 18001–18006 of this title, as used in such sections—

(1) the terms “elementary education” and “secondary education” have the meaning given such terms under State law;

(2) the term “institution of higher education” has the meaning given such term in title I of the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.);

(3) the term “Secretary” means the Secretary of Education;

(4) the term “State” means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico;

(5) the term “cost of attendance” has the meaning given such term in section 472 of the Higher Education Act of 1965.

(6) the term “Non-public school” means a non-public elementary and secondary school that (A) is accredited, licensed, or otherwise operates in accordance with State law; and (B) was in existence prior to the date of the qualifying emergency for which grants are awarded under this section;

(7) the term “public school” means a public elementary or secondary school; and

(8) any other term used that is defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801) shall have the meaning given the term in such section.

#### MAINTENANCE OF EFFORT

SEC. 18008. (a) A State’s application for funds to carry out sections 18002 or 18003 of this title shall include assurances that the State will maintain support for elementary and secondary education, and State support for higher education (which shall include State funding to institutions of higher education and state need based financial aid, and shall not include support for capital projects or for research and development or tuition and fees paid by students) in fiscal years 2020 and 2021 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 provided in the 3 fiscal years preceding the date of enactment of this Act.

(b) The secretary may waive the requirement in subsection (a) for the purpose of relieving fiscal burdens on States that have experienced a precipitous decline in financial resources.

## Appendix B: State Allocation Data

Under section 18002(b) of the CARES Act, the Secretary awards GEER funds to Governors as follows:

1. 60% based on the State's population of individuals aged 5 through 24; and
2. 40% based on the relative number of children counted under section 1124(c) of the Elementary and Secondary Education Act of 1965, as amended (ESEA).

STATE	GOVERNOR'S EMERGENCY EDUCATION RELIEF FUND (Based on section 18002(b) of the CARES Act)
<b>TOTAL</b>	<b>\$2,953,230,000</b>
ALABAMA	48,851,495
ALASKA	6,503,527
ARIZONA	69,196,325
ARKANSAS	30,663,725
CALIFORNIA	355,227,235
COLORADO	44,004,996
CONNECTICUT	27,881,682
DELAWARE	7,916,821
DISTRICT OF COLUMBIA	5,807,678
FLORIDA	173,585,880
GEORGIA	105,720,728
HAWAII	9,993,387
IDAHO	15,676,340
ILLINOIS	108,497,757
INDIANA	61,590,954
IOWA	26,217,108
KANSAS	26,274,163
KENTUCKY	43,799,187
LOUISIANA	50,276,799
MAINE	9,273,552
MARYLAND	45,657,990
MASSACHUSETTS	50,843,703
MICHIGAN	89,432,673
MINNESOTA	43,427,249
MISSISSIPPI	34,662,872
MISSOURI	54,643,115
MONTANA	8,764,495
NEBRASKA	16,357,685
NEVADA	26,477,349
NEW HAMPSHIRE	8,891,470
NEW JERSEY	68,864,994
NEW MEXICO	22,262,663
NEW YORK	164,286,083
NORTH CAROLINA	95,638,869

<b>NORTH DAKOTA</b>	5,932,707
<b>OHIO</b>	104,917,025
<b>OKLAHOMA</b>	39,919,354
<b>OREGON</b>	32,507,956
<b>PENNSYLVANIA</b>	104,418,240
<b>RHODE ISLAND</b>	8,704,245
<b>SOUTH CAROLINA</b>	48,467,924
<b>SOUTH DAKOTA</b>	7,944,013
<b>TENNESSEE</b>	63,582,031
<b>TEXAS</b>	307,026,008
<b>UTAH</b>	29,189,663
<b>VERMONT</b>	4,488,802
<b>VIRGINIA</b>	66,775,322
<b>WASHINGTON</b>	56,769,263
<b>WEST VIRGINIA</b>	16,353,314
<b>WISCONSIN</b>	46,550,411
<b>WYOMING</b>	4,700,937
<b>PUERTO RICO</b>	47,812,236