

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

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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

CERTIFICATION AND AGREEMENT INSTRUCTIONS

GENERAL INSTRUCTIONS

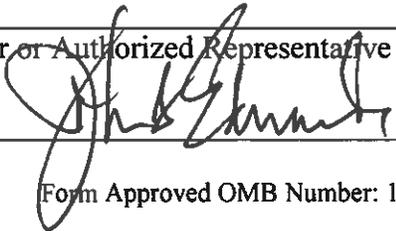
To receive the State's allocation under the GEER Fund, a Governor must submit a signed PDF Certification and Agreement, by email, to the U.S. Department of Education (Department) at GEERF@ed.gov no later than June 1, 2020. The Certification and Agreement must include the following:

- 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): John Bel Edwards</p>	<p>DUNS Number: 965237944</p>
<p>Address (Street Number and Name, City, State, Zip Code): P.O. Box 94004 Baton Rouge, LA 70804</p>	<p>Contact Information for State Program Representative: Name: Jay Dardenne Position & Office: Commissioner, Division of Administration Street Number and Name, City, State, Zip Code: P.O. Box 94095 Baton Rouge, LA 70804 Telephone: (225) 342-7000 Email address: jay.dardenne@la.gov</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): John Bel Edwards</p>	<p>Telephone: (225)342-7015</p>
<p>Signature of Governor or Authorized Representative of the Governor: </p>	<p>Date: 04/22/2020</p>

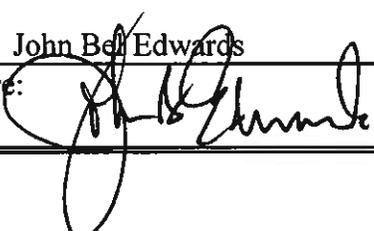
Form Approved OMB Number: 1810-0741 Expiration Date: 10/31/2020

**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):	
John Bell Edwards	
Signature: 	Date: 4-22-20

**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?
 - 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.
 - 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.
 - 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.

The State of Louisiana has a strong commitment to supporting improved and equitable access to remote learning for all students through the use of these emergency funds. The Louisiana Department of Education (LDOE) and Institutions of Higher Education have already conducted initial assessments of needs, affording Louisiana the opportunity to identify clear accessibility gaps that can be closed through devices, internet availability, and training that will expand the educational opportunities for our students and ensure a stronger foundation for remote learning.

State agencies receiving CARES Act funding directed to PK-12 education are working in partnership to develop a comprehensive plan for supporting remote learning plans in every school system across the state. Already, the Louisiana Department of Education (LDOE) has conducted several surveys to assess the needs and challenges to effectively providing remote learning to all students. As a result, we have identified a clear, but closable accessibility gap with regard to devices and internet availability that we intend to address with a significant portion of these funds.

With respect to ensuring that remote learning meets the needs of all students, the State has already invested in guidance and supports with a particular focus on the needs of diverse learners. Because of the general, pre-coronavirus shortage of related service providers to support students with disabilities, Louisiana had earlier this year offered grant opportunities for school systems to pursue tele-service options. The State will expand these opportunities and other strategies, including assistive technology, for versatile delivery of instruction and related services.

Louisiana has a long-standing tradition of fairly supporting its charter LEAs, which, as outlined in State law, specifically serve students from low-income families. The LDOE has established structures in place to consult with charter school leaders and the state charter school association to ensure that the design of the funding structure equitably considers the unique contexts of these schools.

The State also has a robust nonpublic school sector, supported with regard to federal funding and programs by the State ombudsman employed by LDOE. The administration of these funds will coincide with the annual nonpublic consultation process, and, as it does with all federally funded budgets, the LDOE will facilitate and closely monitor the funds used to support nonpublic school activities. The LDOE also makes available to nonpublic schools the resources and materials available to public school systems.

In the higher education sphere, the Louisiana Board of Regents (BOR), Louisiana's higher education coordinating agency, has a strong partnership with the Louisiana Association of Independent Colleges and Universities (LAICU), which represents the ten regionally accredited nonprofit private four-year colleges in Louisiana. The BOR is planning to put strategies in place that will benefit students enrolled at both public and private institutions of higher education.

To respond to the needs of postsecondary students in the wake of the COVID-19 transition to remote learning, the BOR provided information on online course programming, a digest of resources to support remote learning, Open Educational Resources, access to surplus laptops and a statewide map indicating access to public free WIFI. These efforts were designed to support the State's IHEs and their students, including those most disadvantaged by the transition to online education.

In addition, the BOR established a statewide Digital Inclusion Committee charged with addressing the immediate and long-term challenges caused by Louisiana's digital divide. This Committee has issued and analyzed a survey to identify barriers to online course instruction, including but not limited to hardware and connectivity challenges, at IHEs across the state. While the Committee has identified three key areas of statewide need – hardware, broadband access and connectivity, and professional development for students and faculty – the priority for this funding would be on capacity-building to improve Louisiana's online and remote learning.

Funds allocated to IHEs would provide hardware support as well as resources for statewide faculty training in order to strengthen the integrity and quality of online delivery. Examples include platforms to host classes, prepare course materials, and focus on student success; professional development tools for faculty training on quality course construction and delivery; adaption of student learning outcomes and development of authentic assessment; and digital literacy training to support online teaching and learning for the more than 10,000 adjunct and full-time faculty in our state.

After the COVID-19 emergency, the Digital Inclusion Committee will continue its charge to address immediate IHE needs and to create and implement lasting long-term solutions to erase the digital divide in Louisiana.

In addition, to ensure the IHEs have the needed support to continue executing their missions, funds would also be allocated to a rapid response workforce initiative to produce work-ready

individuals to jumpstart the economy. These programs will target and support our most underserved students by increasing enrollment, retention, and completion. The initiative will focus on high-demand statewide workforce needs as well as short-term, credential-based programs geared towards getting students to work.

The anticipated uses described above represent our State's best deployment of funds based on today's needs. If additional needs arise that are currently unforeseen, funds may be allocated for those purposes within the guidelines set forth by USED.

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

Yes, the State will use funds to support remote learning for all students at both LEAs and IHEs, thus supporting the State's goals of increasing access, improving remote learning and bridging Louisiana's digital divide. At elementary and secondary levels, the State will prioritize supports needed for disadvantaged populations, including students from low-income families, students with disabilities, foster students, homeless students, English language learners, students of color, and students living in rural areas.

Louisiana's response and preparedness plans build upon the foundational State-approved plans each LEA developed in conjunction with our state plan for the Elementary and Secondary Education Act. As part of the School System Planning Framework, every school system has a plan for addressing the needs of "diverse learners." The supports and resources deployed by these funds will support and expand upon strategies approved in each school system's diverse learners plan. This will ensure that these funds are directed to the student populations of greatest need.

The Governor's Office is working closely with LDOE and the BOR to assess statewide technological needs and to coordinate and unify their respective allocation processes to not only streamline the allocation of funds, but also more effectively leverage these dollars to close access gaps.

At the higher education level previous needs assessments have identified the following priorities for faculty and students: enhancing access to technology hardware and connectivity, improving rural internet access, addressing the standstill of adult higher education due to lack of technology and access, and developing digital literacy initiatives for faculty and students struggling with the transition to online education.

Therefore, funds will be allocated to address hardware/software issues, with priority given to our most at-risk students, as well as to build capacity at IHEs to support broad technology infrastructure and instructional expertise. Examples include faculty training on developing and adapting student learning outcomes (SLOs), integrating assistive technology for those students and faculty with disabilities, and developing authentic learning assessment strategies for the online learning environment.

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.

Yes, the Governor's Office is working closely with the LDOE and the BOR to develop a comprehensive plan that provides support at elementary, secondary, and higher education levels. The LDOE will utilize funds to support the development and implementation of remote learning plans in each LEA. The BOR will utilize funds to provide resources and faculty training to maintain the longstanding integrity of postsecondary education while utilizing an online method of instruction. Existing frameworks at each level will be essential to the development of programming to support digital literacy and online course construction and delivery.

The LDOE has already issued a suite of tools that help school systems start or continue to make academic and workforce decisions based on the unique needs of their communities. Key documents include:

- Continuous Education Guide: Guidance and tools to support school system leaders as they analyze available instructional and technology resources, develop an approach to providing distance learning opportunities, and implement a distance learning plan.
- Academic Resources Guide: A comprehensive listing of academic resources available for distance learning formats, organized by subject and curriculum provider.
- Staffing Guide: A guide for support school system leaders as they determine which essential functions must continue during school facility closures and how to create a staffing plan to ensure the continuation of those functions.

The LDOE also has released resources to specifically support the continuous learning needs of students with disabilities and students receiving services under Section 504. Key documents include:

- Continuous Education for Students with Disabilities: Direct Services: A guide to providing related and direct services to students with disabilities in distance learning environments. This guide complements the Partnerships for Success Guide, released in Fall 2019, which highlights professional development and direct services provider organizations that support students with disabilities through innovative approaches, like virtual services.
- IDEA Timelines and Documentation During Extended School Closures: Guidance and tools to help school systems maintain compliance with special education timelines and requirements, including up-to-date guidance from the USDOE.
- Family Toolbox: Ways to Support Students with Disabilities During School Closures: A resource for families supporting students with disabilities during continuous

learning, including tips and resources on organization, accommodations, and accessibility.

In addition, LDOE is developing a Strong Start 2020 Planning Framework that outlines the foundational decisions LEAs need to make to ensure that students, families, and schools are prepared to begin the 2020-21 school year, with particular emphasis on the resiliency of these plans when remote learning might be required. This will include guidance on versatile delivery models for core academic instruction, special education services, and CTE courses, as well as diagnostic assessments to ensure that every student's needs are assessed at the beginning of the year.

Because this work at the LEA level is being conducted in collaboration with LDOE, GEER funds will not be used for administrative costs associated with the State's development of these tools and resources. Instead, the GEER funds will directly support the development and implementation of these remote learning plans at the LEA-level, including bridging the digital access divide through the purchase of student computers and internet access points.

To support the immediate needs of higher education as a result of course instruction transitioning to 100% online, the BOR continues to provide a digest of online resources for faculty and students.

At the BOR, the focus will be on faculty training and support with GEER funds utilized to develop a statewide training model for online course development and delivery using the Quality Matters Framework. This was an effective solution implemented following Hurricane Katrina and we believe statewide implementation and support would once again yield favorable results.

As the State of Louisiana creates a comprehensive plan for faculty training to ensure impactful online course development and delivery, the BOR will use the Digital Literacy Global Framework (DLGF) to develop, deliver, and assess digital literacy training. The DLGF provides internationally recognized standards for digital literacy education upon which the BOR can build. In addition, through consultation with the BOR library network team, the American Library Association Standards for Digital Literacy and the Association for Colleges and Research Libraries definition of literacy competency will be used to guide and monitor the effectiveness of student programs on use and evaluation of resources available on the internet.

The BOR plans to extend and enhance the information literacy training provided for PK-12 students at school or at public libraries. The BOR will refer to the Teacher Toolbox for Digital Literacy developed by the Louisiana Department of Education to focus on the adult education population that needs support when shifting to a digital landscape.

In addition, the BOR plans to leverage the work of Office of Disability Services at each IHE to assess challenges, create plans of support, and provide specific services necessary to meet the needs of students with disabilities.

To ensure the success of this work at the higher education level, the BOR will leverage the longstanding E-Learning Task Force with technology experts from each system and the LOUIS academic library consortium, comprised of information science and library professionals. Together and under the direction of the BOR, these entities are positioned to improve online delivery of instruction development and requisite support to ensure best practices of online learning are implemented.

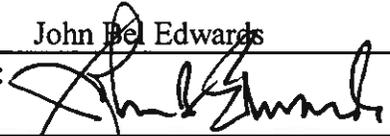
Given the fiscal burdens on the State of Louisiana that will be experienced because of a precipitous decline financial resources due to the COVID-19 pandemic, the State is seeking a waiver by the Secretary under Section 18008(b) of the required maintenance of effort required by Section 18008(a).

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):	
John Bel Edwards	
Signature: 	Date: 4-22-21

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.

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 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.

(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)
TOTAL	\$2,953,230,000
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

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