

## **California GEER Fund 45-Day SEA Report**

### **1. Please describe the State's process for awarding GEER funds to LEAs, IHEs, and/or other education-related entities, including:**

#### **a. Timeline(s) for awarding GEER funds to LEAs, IHEs, and/or other education-related entities;**

The allowable uses and distribution formula for the Governor's Emergency Education Relief Funds (GEER) is part of California's budget for 2020-21 that begins on July 1, 2020. The use of the funds and distribution formula are outlined in the 2020-21 budget package, that was recently agreed to by the Governor and Legislature, and focuses on supporting academic achievement and mitigating learning loss related to COVID-19 school closures for transitional kindergarten through 12 grade students. That budget agreement is expected to be approved by June 30.

It is the intent of the CDE to distribute as quickly as possible after the budget is approved. In order to facilitate this and ensure the required elements for the use of the funds are complied with, CDE is in the process of developing an electronic application with assurances required by the GEER fund. The completion of the application will be required for all eligible recipients of the funds. Once that application is completed, we expect LEAs to be awarded their funds within 30 days, absent serious concerns with their applications.

#### **b. The criteria, process and deliberations you use to determine which LEAs, IHEs, and/or other education-related agencies are:**

##### **i. "Most significantly impacted by coronavirus;" and/or**

##### **ii. "Essential" for carrying out emergency educational service;**

In March, when local educational agencies (school districts, county offices of education, and charter schools) were forced to close and move towards distance instruction and learning it shined a spotlight on persistent problems our communities face, including inequitable access to devices and connectivity and the need for greater supports for our highest needs students. If not addressed in a meaningful way, this gap would only widen if, as anticipated, schools need to offer distance learning in the fall of the 2020-21 school year. The funding provided to California by the CARES Act, specifically the GEER and Coronavirus Relief Funds, will be combined with state general fund dollars to create a \$5.3 billion Learning Loss Mitigation Block Grant.

Further, California determined that our most vulnerable students, including students with disabilities, English learners, foster youth and low-income students, were likely to be most negatively impacted by the COVID-19-related closure of schools and the transition to distance learning. The vast majority of Learning Loss Mitigation Block Grant funds are targeted to those students. Specifically, the GEER funds are part of a

\$1.5 billion portion of the block grant that is allocated based on the number of students with disabilities enrolled in a local educational agency. An additional \$2.9 billion of funds California received from the Coronavirus Relief Funds will be allocated to local educational agencies based on the number and concentration of socio-economically disadvantaged, foster youth and English learners they serve, thus targeting those that will be most significantly affected by the learning loss.

Local educational agencies must use the funds for (1) supplemental supports during the summer and school year, (2) extending the school year, (3) providing additional academic supports, and (4) providing integrated student supports to address other barriers to learning, further targeting those students most impacted by the pandemic.

**c. The funding mechanisms (e.g., grants, contracts) the State will use to provide GEER funds to LEAs, IHEs, and/or other education-related entities;**

The CDE will be providing electronic applications for eligible LEAs. Funding is being proposed to go out on a formula basis as a subgrant to LEAs. Components of the proposed formula include enrollment of students with exceptional need, and eligible LEAs that have a higher concentration of students identified as foster youth, English learners, or socioeconomically disadvantaged.

**d. Any specific funding conditions or requirements the State will place on awards to ensure the funds are spent for specific purposes or activities.**

As noted above, the purpose of this grant is to directly support student academic achievement, and mitigate learning loss related to COVID-19 school closures. Funds must be used for any of the following purposes:

- **Supplemental supports during the summer and school year:** Addressing learning loss or accelerating progress to close learning gaps through the implementation, expansion, or enhancement of learning supports that begin before the start of the school year and the continuation of intensive instruction and supports into the school year.
- **Extending the school year:** Extending the instructional school year by adjusting the academic calendar, increasing the number of instructional minutes provided during each week or school day, or taking any other action that increases the amount of instructional time or services provided to students based on their learning needs.
- **Additional academic supports:** Providing additional academic services for students, such as diagnostic assessments of student learning needs, intensive instruction for addressing gaps in core academic skills, additional instructional materials or supports, or devices or connectivity for the provision of in-classroom and distance learning.
- **Integrated student supports:** Providing integrated student supports to address other barriers to learning, such as the provision of health, counseling, or mental

health services, professional development opportunities to help teachers and parents support students in distance-learning contexts, access to school breakfast and lunch programs, or programs to address student trauma and social-emotional learning.

Further, as part of the larger package intended to demonstrate how districts are going to address teaching and learning in the 2020-21 school year, and as a condition of receiving the Learning Lost Mitigation funds, local educational agencies must adopt a Learning Continuity and Attendance Plan. Specifically, the plan must be developed with stakeholder input and include the LEA will provide continuity of learning, what their distance learning program is, how they will ensure access to devices and internet connectivity, and how they will address student engagement.

**2. Describe the system of internal controls the State will use to ensure that GEER funds are expended for allowable purposes and in accordance with cash management principles and the Uniform Guidance. See 2 CFR §200.313.**

The CDE will monitor GEER funds in accordance with the Cash Management Improvement Act (CMIA) and applicable federal laws and regulations. The CDE expects to implement cash management oversight consistent with existing processes used for various federal programs. In general, 25 percent of an LEA's allocation will be provided in advance, and quarterly reporting of expenditures and cash balances will be used to determine an LEA's quarterly apportionment. Quarterly apportionments released will equal 25 percent of the allocation less funds previously paid plus expenditures for that quarter. An LEA's apportionment will be limited to the unpaid balance.

The CDE conducts monitoring reviews of LEAs each year using a risk-based sampling approach. During these federal monitoring reviews, CDE staff conduct program and fiscal reviews of various federal and state programs to ensure that they are operating in compliance with federal and state laws, regulations, and program requirements. Among other things, CDE's monitoring includes a review of:

- LEA fiscal records to ensure that the LEA is properly calculating, reporting, and remitting interest earned on unspent federal advances in accordance with federal and state cash management requirements.
- LEA's policies and procedures on allowability, procurement, conflicts of interest, managing of equipment, and cash management to verify that LEAs have controls in place to ensure funds are properly documented and spent on allowable activities.

**3. If GEER funds are being awarded or used for payments to SEA or IHE administrators, executives, and/or state or local teachers' unions or associations,**

**please describe your process for reporting the amount of funds used for this purpose, and how the funds are consistent with allowable uses of funds under section 18002(c) of the CARES Act.**

The funds are not being allocated for this purpose and those are not allowable uses of funds as described above.

**4. If you intend to provide GEER funds to LEAs, please describe the process you will use to ensure that LEAs receiving GEER funds 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.**

California dedicates all of the GEER Funds received to local educational agencies so they can provide critical supports to address learning loss and improve distance learning. The CDE will develop a reporting system for LEAs to report back to CDE the use of the funds and will include procedures to ensure equitable services were provided to non-public schools.

Calculations of proportionate share for the CARES Act will be incorporated in regulator monitoring cycles. Non-public schools, individuals, and others who take issue with the consultation, proportionate share, or other portions of equitable share under the CARES Act can and should file a complaint with the State private school ombudsman, who will review and address the concerns.