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BRIEFING MEMORANDUM

TO: SPCSA Board
FROM: Rebecca Feiden, Executive Director
SUBJECT: Overview of Federal Emergency Funding
DATE: April 23, 2021

Congress has enacted three federal stimulus packages that allocate funding for K-12 education in response to the COVID-19 pandemic. Details regarding each of those packages is provided below.

Coronavirus Aid, Relief, and Economic Security Act (CARES Act)

The CARES Act was signed into law on March 27, 2020 and provides several types of funding for K-12 Education:

- *Elementary and Secondary School Emergency Relief Fund (ESSER Fund)*: These funds were awarded to State Educational Agencies (SEAs), including the Nevada Department of Education (NDE), to subaward to Local Educational Agencies (LEAs) to “address the impact that the Novel Coronavirus Disease 2019 (COVID-19) has had, and continues to have, on elementary and secondary schools across the Nation.”¹ SEAs were required to use at least 90 percent of ESSER funds to make subgrants to LEAs based on fiscal year 2019 Title IA allocations.
 - Based on the formula, the SPCSA was allocated \$4.6 million in ESSER funding and allocated these funds to schools based on validated enrollment as of October 1, 2019 with the addition of projected enrollment for new and/or significantly expanding schools. Schools received \$95.24 for each student qualifying for Free

¹ <https://oese.ed.gov/files/2020/05/ESSER-Fund-Frequently-Asked-Questions.pdf>

or Reduced-Price Lunch (FRL) and \$85.17 for each non-FRL student. These funds are commonly referred to as *ESSER I*.

- NDE used a portion of the remaining 10 percent of ESSER funds, approximately \$11 million, to run a competitive grant process to award LEAs and non-profit organizations with grant funds in the following categories:
 - High-Quality Professional Development
 - High-Quality Digital Instructional Materials
 - Wrap-Around Services

The SPCSA, on behalf of interested schools, applied for approximately \$1.4 million and was ultimately awarded approximately \$761,000 to allocate to schools for specific, approved activities. These funds are commonly referred to as *ESSER Competitive*.

- *Governor’s Emergency Education Relief Fund (GEER Fund)*: These funds were awarded 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).”² Governors have wide discretion in allocating GEER funding.
 - The Nevada Department of Education established allocations for each charter school based on audited average daily enrollment (ADE) for fiscal year 2020 and included an allocation for new charter schools that opened in the fall of 2020 based on unaudited first quarter ADE for fiscal year 2021. The SPCSA was allocated approximately \$888,000 in GEER funding and allocated these funds based on allocations provided by NDE. These funds are commonly referred to as *GEER I*.
- *Coronavirus Relief Fund (CRF)*: These funds were awarded to state and local governments to fund to cover expenses that “(1) are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID–19); (2) were not accounted for in the budget most recently approved as of March 27, 2020 (the date of enactment of the CARES Act) for the State or government; and (3) were incurred during the period that begins on March 1, 2020 and ends on December 31, 2021.”³
 - Assembly Bill 3 from the 31st Special Session of the Nevada Legislature authorized CRF funding to be distributed to districts and charter schools on a per pupil basis for certain categories of students. NDE’s formula established a specific allocation for each charter school. The SPCSA was allocated approximately \$2.9M and allocated these funds as directed by NDE. These funds are commonly referred to as *AB3*.
 - The Governor’s Office allocated an additional approximately \$996,000 in CRF funds to the SPCSA in late November which, at the time, had to be expended by

² <https://oese.ed.gov/files/2020/10/FAQs-GEER-Fund.pdf>

³ <https://home.treasury.gov/policy-issues/coronavirus/assistance-for-state-local-and-tribal-governments/coronavirus-relief-fund>

December 30, 2020.⁴ The SPCSA worked with charter schools to transfer eligible expenditures initially slated for reimbursement under ESSER I to CRF to ensure these funds did not go unused. The SPCSA ultimately redistributed ESSER I funding to account for these additional CRF funds. These funds are commonly referred to as *CRF Cohort II*.

Coronavirus Response and Relief Supplemental Appropriations Act (CRRSA Act)

The CRRSA Act was signed into law on December 27, 2020 and provides several types of funding for K-12 Education:

- *Elementary and Secondary School Emergency Relief Fund (ESSER Fund)*: The second round of ESSER funding was allocated to State Educational Agencies and LEAs using the same methodology as the first round of funding and can be used for the same types of activities.⁵ However, the second round of funding was based on Title IA allocations for fiscal year 2020.
 - Based on the formula, the SPCSA was allocated \$23.8 million⁶ from the second round of ESSER funding. The total funding allocated to each charter school network (by charter holder) was based on a straight per-pupil allocation with additional weights on enrollment as follows: 30% for FRL, 110% for IEP, and 50% for ELL. Note that these weights are based on the approved levels for the Pupil Centered Funding Plan by the Commission on School Funding. This methodology allows for additional funding for every student (based on October 2020 validation day enrollment) who qualifies for FRL, is on an IEP, or is an ELL. These funds are commonly referred to as *ESSER II*.
- *Governor's Emergency Education Relief Fund (GEER Fund)*: The second round of GEER funding was allocated to Governors for the same purposes and with the same flexibility as the first round of funding.⁷ At this point, the SPCSA has not received any information about allocations of the second round of GEER funding. These funds are commonly referred to as *GEER II*.

American Rescue Plan Act (ARP Act)

The ARP Act was signed into law on March 11, 2021 and provides several types of funding for K-12 Education:

- *Elementary and Secondary School Emergency Relief Fund (ESSER Fund)*: The third round of ESSER funding was allocated to State Educational Agencies and LEAs using

⁴ The CRRSA Act, signed into law on December 27, 2020 ultimately extended the deadline for the use of funds to December 31, 2021.

⁵ https://oese.ed.gov/files/2021/01/Final_ESSERII_Factsheet_1.5.21.pdf

⁶ The original allocation was approximately \$1.8 million less. The SPCSA was recently alerted to the additional funding and will be allocating these funds once the SPCSA receives approval from the Interim Finance Committee.

⁷ https://oese.ed.gov/files/2021/01/FINAL_-GEER_FactSheet_1.8.211.pdf

the same methodology as the first and second rounds of funding using the Title IA allocations for fiscal year 2020. The third round of funding is to be used to “help safely reopen and sustain the safe operation of schools and address the impact of the coronavirus pandemic on the Nation’s students.”⁸ While there are many similarities between the third round of funding and the previously allocated ESSER I and ESSER II funds, there are a few key differences. Specifically under this third round of funding, each LEA must use at least 20% of funds to “address learning loss through the implementation of evidence-based interventions, such as summer learning or summer enrichment, extended day, comprehensive afterschool programs, or extended school year programs, and ensure that such interventions respond to students’ academic, social, and emotional needs and address the disproportionate impact of the coronavirus” on certain student subgroups, including children from low-income families, children with disabilities, English learners, migrant students, students experiencing homelessness, and children and youth in foster care.⁹ Remaining funds can be used for a “wide range of activities to address needs arising from the coronavirus pandemic, including any activity authorized by the ESEA, the Individuals with Disabilities Education Act (IDEA),”¹⁰ as well as numerous other purposes such as school facility repairs and improvements, training and professional development for staff on sanitation and minimizing the spread of infectious diseases, providing mental health services and supports, and many others.

- The SPCSA has been notified that based on the formula, the preliminary allocation for the SPCSA is approximately \$53.4 million. The SPCSA has not yet determined a methodology for allocating these funds and has not received the grant application for these funds from NDE. These funds are commonly referred to as *ARP ESSER*.

⁸ <https://oese.ed.gov/offices/american-rescue-plan/american-rescue-plan-elementary-and-secondary-school-emergency-relief/>

⁹ See Section 2001(e)(1) of the American Rescue Plan

¹⁰ https://oese.ed.gov/files/2021/03/FINAL_ARP-ESSER-FACT-SHEET.pdf