

Coronavirus Aid, Relief and Economic Security (CARES) Act: Considerations for Vermont's Approved Independent Schools

Purpose

This document is intended to provide an overview of the federal emergency funds related to the Coronavirus Aid, Relief and Economic Security (CARES) Act and how different independent school entities can access particular funds to meet their COVID-19-related needs. Readers should understand that this document will be subject to updates as soon as new information or new sources of funding become available.

Each section of the document discusses a CARES funding source and the different eligibility requirements for each.

Background

The CARES Act, signed into law on March 27, 2020, created the \$30.75 billion Education Stabilization Fund (ESF). This fund provides \$13.5 billion in pandemic relief aid for K-12 schools through the Elementary and Secondary School Emergency Relief (ESSER) Fund. The state of Vermont received approximately \$31 million in ESSER funds, of which 10% or \$3,114,836 was set aside for AOE to develop state-wide approaches to help education entities respond to the COVID-19 pandemic.

In addition to the ESSER funds, the Governor's office also received approximately \$4.5 million through the Governor's Emergency Education Relief (GEER) fund, another component of the ESF. Governor Scott's office determined that it would use the funds to support CTE institutions across the state that were not entitled to ESSER funds and that the AOE would administer grants to support the technology and infrastructure needs of these institutions.

A third, larger component of CARES is the Coronavirus Relief Fund (CRF), which has many potential uses. The Vermont legislature approved \$1.5 million of these funds for the reimbursement of COVID-19-related costs incurred between March 1 – December 30, 2020, to Approved Independent Schools which, as of March 27, 2020, (the date of enactment of the CARES Act), had one or more publicly funded students enrolled.

CARES ESSER Fund

Eligible Entities: The ESSER fund includes an Equitable Services requirement. Non-profit independent schools that are approved or recognized by the State Board of Education and are located within the physical boundaries of an LEA that received ESSER funds are eligible to participate.

Period of Performance: July 1 – September 31, 2022. The ESSER funds allocated to an LEA must be budgeted in an approved award prior to April 29, 2021.

Payment Provisions and Other Requirements: Per federal statute, an Independent School can receive services/goods only. LEAs must retain control of all CARES ESSER funds.

Eligible Costs: LEAs that receive ESSER funds may spend them on the following allowable uses:

1. Purchase educational technology (including hardware, software, connectivity, and assistive technology) for students.
2. Purchase sanitation supplies/contract with vendors to sanitize and clean LEA facilities.
3. Provide mental health services and supports.
4. Plan and implement summer, extended and afterschool learning opportunities for students.
5. Support other activities necessary to maintain LEA operations, services and employment of existing staff.
6. Plan for and coordinate continuity of learning and continuity of operations during long-term closures.
7. Support activities to meet the unique needs of low-income students, students with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, students in foster care and other vulnerable populations.
8. Provide professional development and training for LEA staff on sanitation and minimizing the spread of infectious disease.
9. Coordinate COVID-19 preparedness and response efforts with local units of government.
10. Provide principals and other school leaders with resources to address individual school needs.
11. Develop and implement procedures and systems to improve LEA preparedness and response efforts.
12. Support any activity authorized by the Elementary and Secondary Education Act of 1965 as amended (ESEA), the Individuals with Disabilities Education Act (IDEA), the Adult Education and Family Literacy Act; the Carl C. Perkins Career and Technical Education Act (Perkins); or the McKinney-Vento Homeless Assistance Act, that is not addressed above.

AOE recently received clarification from USED on the use of ESSER funds for COVID-19-related childcare costs. In response to the question: **May an LEA or SEA use ESSER funds to provide teachers/staff/administrators with young children childcare services?** USED responded:

“Yes, if the costs are reasonable in amount and constitute a necessary response to the COVID-19 pandemic. See Sections 18003(d) of the CARES Act and 2 CFR §§ 200.403-200.405. For example, an LEA might contract with a daycare provider to make spaces available for teachers/staff/administrators with young children whose regular daycare services are unavailable due to COVID-19 so that these employees can continue to provide educational services to students. See CARES Act section 18003(d)(12). An LEA might also provide a retention incentive to teachers/staff/administrators with young children that could offset the cost for

childcare in order to retain these employees, which is an allowable use of funds under Title II of the ESEA, if employee retention is a challenge due to COVID-19. See CARES Act section 18003(d)(1)."

For a detailed description of allowable activities, please see [Section 18003\(d\) of the CARES Act](#).

Equitable Services: Before completing their ESSER applications, LEAs must conduct consultation with all eligible independent schools within their physical boundaries, regardless of whether these schools have participated in equitable services in the past. **It is important to note that all ESSER funds, including those reserved to provide equitable services, must remain in the control of the LEA.** The LEA and independent school should engage in a collaborative consultation, while the LEA is responsible for ensuring the delivery of equitable services to independent schools.

During the consultation process, each independent school:

1. will inform LEAs if they wish to share in services and materials purchased with ESSER funds,
2. will provide LEAs with enrollment and low-income data needed to determine an equitable share of the LEA's allocation,
3. will discuss the independent school's needs, and
4. will develop in partnership with the LEA, a plan for the services to be provided, as allowable under ESSER.

Agreed upon strategies for equitable services are written into the LEA's online application.

Detailed information on ESSER and Equitable Services for Independent Schools is provided in the [Equitable Services to Independent Schools under ESSER: FAQ](#) (7/31/20). Any additional questions regarding should be directed to [Jesse Roy](#).

Coronavirus Relief Fund for Approved Independent Schools (CRF – Approved Independent Schools)

Eligible entities: Vermont State Board of Education Approved Independent Schools that as of March 27, 2020, (the date of enactment of the CARES Act), had one or more publicly funded students enrolled.

The maximum reimbursement to an approved independent school is \$422 for each publicly funded student who was enrolled as of March 27, 2020.

An initial email communication outlining the application and grant award process, along with the requirements for a DUNS number, W-9 and active SAM.gov registration, was sent out to eligible schools on August 14, 2020.

Period of Performance: March 1 – December 30, 2020. A final report is due to AOE by February 28, 2021.

FEMA requirement: Please note that all CRF applicants **must** also apply for FEMA per the Agency of Administration (AOA). Approved Independent Schools should complete the very brief [FEMA Request for Public Assistance](#) and the [survey](#) of FEMA eligible costs incurred from

March 1 – June 30, 2020 by September 1. FEMA will contact independent schools if they are eligible to apply in early September and AOA, in partnership with Guidehouse and supported by AOE, will provide detailed guidance on how to complete the FEMA application.

Payment Provisions and Other Requirements: Reimbursement requests must be submitted using an AOE 3.0, detailed accounting records and a narrative template describing allowable costs. AOE will be providing this template. The maximum reimbursement to an Approved Independent School under this grant is up to \$422 for each publicly funded student who was enrolled as of March 27, 2020. All costs must be incurred by December 30, 2020, and requests for reimbursement by February 28, 2021.

In addition to the assurances contained in the grant award provided by AOE, subrecipients of the CRF – Approved Independent Schools grant awards should be aware that an approved independent school that receives funds will be required to provide access to the Agency of Education for the purpose of auditing the school's use of those funds. Costs recovered under the CRF grants cannot also be recovered by another Federal source of funds.

Eligible Costs: Approved Independent Schools that receive CRF funds may spend them on the following allowable uses:

1. PPE (Personal Protection Equipment) - masks, gloves, etc.
2. Supplies and technology for health screening - thermometers, pulse oximeters, etc.
3. Cleaning and sanitizing supplies.
4. Signage for social distancing.
5. Staffing costs beyond contract - e.g., not budgeted, extra days, overtime, extra duty, etc.
6. Staff salaries when completing work that is substantially different and COVID-19-related – e.g., staffing costs for time associated with developing remote learning capabilities.
7. Salary and benefits for hourly staff who were paid despite not working (unscheduled time).
8. Administrative time related to COVID-19 response (note: for schools with approved indirect cost rates, these admin costs may not be included in your indirect cost pool).
9. Cost of staff accessing COVID-19 Emergency Paid Sick Leave (EPSL).
10. Salaries and benefits of IT personnel supporting remote learning and school nurses doing COVID-19-related work. [**Please note:** as of July 1, schools will need to clearly justify this time as COVID-19-related and outside the scope of what has become regular work.]
11. Costs associated with providing childcare for essential workers from March 1-June 30, 2020.
12. Costs associated with providing childcare for teachers/staff/administrators who are unable to access childcare due to COVID-19 so that those these employees can continue to provide educational services to students. [Please note: Costs must be incurred directly by the schools through either a contracted service or direct service delivery. Eligible costs for childcare for CRF do not include direct payments to

teachers/staff/administrators. Schools should also be aware that if they also plan to apply for the potential CRF Remote Learning & School-age Care grant, they will need to ensure that multiple funding sources are not used to pay for the same eligible cost. There can be no duplication of benefit across federal funding sources.]

13. IT equipment: student devices, staff devices, mobile hotspots.
14. Cost to expand bandwidth.
15. Summer professional development for school reopening.
16. Planning costs for school reopening.
17. Software to support online learning.
18. Copies and supplies if COVID-19-related.

Other CRF Funding Opportunities

An additional source of CRF funding to consider are the Agency for ACCD CRF grant programs. For-profit and private Independent Schools may be eligible for funds to reimburse revenue loss, or to gain access to state-wide programs to distribute PPE.

To qualify, an independent school needs to show “program service revenue” that suffered a 50% or greater loss in any month, March through August, 2020. For an independent school, “program service revenue” is tuition. ACCD will require income statements that itemize the school’s income stream. The maximum grant amount is being determined by ACCD. The maximum will either be \$50,000 for annual revenues greater than \$500,000 or up to \$150,000 for annual revenues greater than \$1,500,000.

The \$50,000 grant funds are currently available and the application process is open. Interested schools should contact Kenneth Jones at Kenneth.jones@vermont.gov or visit the ACCD’s webpage for [CRF Economic Recovery Grants](#).

Final Considerations

AOE has partnered with the State Emergency Operations Center (SEOC) to distribute PPE, sanitizer and COVID-19 kits to all independent schools. During the second phase distribution of resources to support school reopening, independent schools will receive:

- Kits of PPE for school nurses and COVID-19 Coordinators (including gloves, gowns, surgical masks and face shields)
- A reserve supply of adult-size cloth face coverings for distribution to staff or family members who may not have one
- 2 gallons of hand sanitizer per school
- A set of posters encouraging mask wearing.

If they have questions about this distribution effort, schools are encouraged to contact Ted Fisher (ted.fisher@vermont.gov) or Amy Scalabrini (amy.scalabrini@vermont.gov) at AOE.