

## **CARES Act Frequently Asked Questions (FAQ)**

**Updated 4/27/2020**

The below questions and answers are in response to the following CARES Act's Education Stabilization Fund Program's: 1.) the Elementary and Secondary School Emergency Relief Fund (ESSERF), and 2.) the Governor's Emergency Education Relief Fund (GEERF).

### Allocations

**1. If the total GEERF is \$6 million, where is the \$2,271,144 not allocated to Local Educational Agencies (LEAs) going?**

Per federal guidance, GEERF may be allocated at the Governor's discretion. A decision on how the remaining funding will be allocated has not been made at this time.

**2. What were the metrics used to determine whether a district would qualify for GEERF funds?**

Approximately \$3.7 million from the State of Alaska's allocation will be distributed to 35 districts in order to ensure all districts receive funding equal to or greater than the allocation of the \$30 million one-time funds through the foundation formula versus the allocation based on the Title I-A funding formula for the ESSERF.

**3. If a district gives one site/school funds, is the district required to allocate the same percentage to the other sites/schools?**

Though DEED will allocate ESSERF to districts based on their relative share of Title I, Part A funds, the ESSERF funds are not Title I-A funds. Therefore, ranking and serving, school and student eligibility, and other Title I-A requirements do not apply to ESSERF. School districts may allocate the funding to site/schools as they determine.

**4. When are the allocation estimates going to be made final?**

The allocations have been made final and are posted on the Department's [website](https://education.alaska.gov/safeschools/infectiousdisease) (education.alaska.gov/safeschools/infectiousdisease).

**5. How did DEED determine district allocations under the ESSERF?**

DEED must award at least 90% of the ESSERF to districts. Districts receive funds based on the proportion of Title I, Part A funds they received in the most recent fiscal year (FY20). For example, if a district received 10% of a State's Title I, Part A funds in the most recent fiscal year, it would receive 10% of the available ESSERF. As far as the CARES Act funds, the total amount allocated to districts is \$34,567,123 (approximately \$6.8 million less than the FY20 Title I allocation) – a decrease in the total amount available to appropriate.

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### Use of Funds

#### **6. Will districts be able to directly transfer these funds to the General/Operating Fund to replace lost revenue due to COVID-19?**

Funds may not be transferred to the General/Operating Fund to replace lost revenue. While ESSERF and GEERF funds allow greater flexibility than other grants, they are federal grants that must be tracked in Special Revenue Funds and are subject to Education Department General Administrative Regulations Act (EDGAR) and the Uniform Grant Guidance (UGG) (2 CFR 200). The Governor's Emergency Education Relief Fund is CFDA 84.425C. The Elementary and Secondary School Emergency Relief Fund is CFDA 84.425D.

#### **7. What are allowable uses of ESSERF?**

The following delineates the twelve allowable activities outlined in the Act.

##### 1. Authorized Programs

- Elementary and Secondary Education Act (ESEA) of 1965, including the Native Hawaiian Education Act and the Alaska Native Education Equity, Support, and Assistance Act. *CARES Act Section 18003(d)(1).*
  - Title I-A Improving the Academic Achievement of the Disadvantaged
  - Title I-C Education of Migratory Children
  - Title I-D Educational Support for Neglected, Delinquent or At-Risk Children and Youth
  - Title II-A Supporting Effective Instruction
  - Title III-A Language Instruction for English Learners and Immigrant Students
  - Title IV-A Student Support and Academic Enrichment
  - Title IV-B 21<sup>st</sup> Century Community Learning Centers
  - Title VI Indian, Native Hawaiian, and Alaska Native Education
- Individuals with Disabilities Education Act (IDEA)
- Adult Education and Family Literacy Act (AEFLA)
- Carl D. Perkins Career and Technical Education Act (Perkins)
- McKinney Vento Homeless Education Assistance Act

##### 2. Coordination of LEA preparedness and response efforts to improve coordinated responses with other agencies to prevent, prepare for, and respond to coronavirus. *CARES Act Section 18003(d)(2).*

##### 3. Providing principals and other school leaders with the resources necessary to address school needs. *CARES Act Section 18003(d)(3).*

##### 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. *CARES Act Section 18003(d)(4).*

##### 5. Developing and implementing procedures and systems to improve LEA preparedness and response efforts. *CARES Act Section 18003(d)(5).*

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6. Training and professional development for LEA staff on sanitation and minimizing the spread of infectious diseases. *CARES Act Section 18003(d)(6)*.
7. Purchasing supplies to sanitize and clean LEA facilities. *CARES Act Section 18003(d)(7)*.
8. Planning for and coordinating during long-term closures, including how to provide meals, technology for online learning, guidance on IDEA requirements, and ensuring other educational services can continue to be provided consistent with all applicable requirements. *CARES Act Section 18003(d)(8)*.
9. Purchasing educational technology (including hardware, software, and connectivity) for students served by the LEA that aids in regular and substantive educational interactions between students and their classroom teachers, including assistance technology or adaptive equipment. *CARES Act Section 18003(d)(9)*.
10. Providing mental health services and supports. *CARES Act Section 18003(d)(10)*.
11. Planning and implementing activities related to summer learning and supplemental afterschool programs and addressing the needs of low-income students, students with disabilities, English learners, migrant students, students experiencing homelessness, and children in foster care. *CARES Act Section 18003(d)(11)*.
12. Other activities that are necessary to maintain operations and continuity of services and continuing to employ existing staff. *CARES Act Section 18003(d)(12)*.

### **8. Are there supplement, not supplant, restrictions on the GEERF and/or ESSERF?**

No. Supplement, not supplant, restrictions do not apply to GEERF or ESSERF.

### **9. What are the allowable uses of the GEERF?**

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. Support the ability of the LEAs to continue to provide educational services to public and non-public school students and to support the on-going functionality of the LEA.
3. The provision of childcare and early childhood education, social and emotional support, and the protection of education-related jobs.

## Finance Logistics

### **10. Do the ESSERF and GEERF have to comply with the Uniform Grant Guidance (UGG) and Education Department General Administrative Regulations Act (EDGAR)?**

Yes. LEAs comply with:

- the provisions of all applicable acts, regulations, and assurances;

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- the provisions of the EDGAR 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 (Non-procurement) 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.

### 11. Will there be reporting requirements on each of these funds?

Yes, there will be reporting requirements, details for districts on these requirements are forthcoming.

#### ***State CARES Act Reporting Requirements***

CARES Act Section 15011(2) Not later than 10 days after the end of each calendar quarter, each covered recipient<sup>1</sup> shall submit to the agency and the Committee a report that contains

1. The total amount of large covered funds received from the agency [*>\$150,000 from USDOE, in grants*].
2. The amount of large covered funds [*>\$150,000*] received that were expended or obligated for each project or activity.
3. A detailed list of all projects or activities for which large covered funds were expended or obligated,
  - a. Name of the project or activity
  - b. Description of the project or activity
  - c. Estimated number of jobs created or retained by the project or activity, where applicable,
  - d. Detailed information on any level of subcontracts or subgrants awarded by the covered recipient or its subcontractors or subgrantees to include the data elements required to comply with FFATA, allowing aggregate reporting on awards below \$50,000 or to individuals
  - e. FFATA Requires:
    - i. Federal Award Identifier Number (FAIN)
    - ii. Federal Agency Name
    - iii. SOA – DUNS
    - iv. SOA – Name
    - v. SOA – Address
    - vi. Principal state of performance (
    - vii. CFDA Program Number

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<sup>1</sup> Any entity that receives covered funds \$150,000 or greater; and includes any State.

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- viii. Project Description
- ix. Total Federal Funding Amount (total amount of CFDA)
- x. Obligation/Action Date
- xi. Subaward Date
- xii. Awardee Names & Compensation of highly compensated officers (usually N/A)
- xiii. Subawardee DUNS
- xiv. Subawardee Names
- xv. Subawardee Address
- xvi. Amount of Subaward
- xvii. Subawardee Principal Place of Performance
- xviii. Subaward Number
- xix. Subaward Project Description

### **12. Are the GEERF and ESSERF funds interchangeable or must they be reported separately?**

No. These funds are not interchangeable, they have different allowable costs and different CFDA numbers.

### **13. How will districts draw down these funds- reimbursement or lump sum?**

Both ESSERF and GEERF will be reimbursement funds.

### **14. Are there any federal single audit requirements?**

Yes. LEAs must follow 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.

### **15. Can districts take indirect?**

Yes. Districts can take indirect for both ESSERF and GEERF.

### **16. What is the timeframe for these funds? How will carryover be handled?**

Both the GEERF and the ESSERF are available through 9/30/2022. The grant awards in the Grants Management System (GMS) will be based on the state fiscal year. Initial awards will have a period of availability through 6/30/2020. Any balance will be carried over to FY2021 and available through 6/30/2021. Any remaining balance at that point will be carried over to FY2021 and available through 9/30/2021. Carry forward will continue until the entire grant is spent, or until 9/30/2022, when the grant period ends.

### **17. What is the latest news about legislative action? Do we know when they may reconvene to take action on this?**

The Governor submitted a package of Legislative Revised Programs (RPLs) to the Legislative Budget and Audit Committee on April 21<sup>st</sup>. RPLs request additional authority for federal receipt authority.

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This additional authority is needed in order for DEED to issue grants and reimbursements out to districts. DEED does not know when the legislature will act on these requests.

### **18. How will the district apply for the ESSERF and GEERF funds?**

DEED is working to create a CARES Act Application within the [Grant Management System \(GMS\)](https://gms.education.alaska.gov) ([gms.education.alaska.gov](https://gms.education.alaska.gov)). Within the CARES Act Application, the district will be able to budget for the funds they receive. There will be separate budgets for the ESSERF and GEERF funds.

## Child Nutrition

### **19. Is there anything in the CARES act that would prevent these funds from being used on expenditures related to the unique model of food service we are providing during the COVID-19 closures?**

Yes, subsection 18003 of the ESSERF provides guidance on the uses of funds related to meals.

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

(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.

### **20. Will there be a future webinar regarding those Child Nutrition and Childcare funds that will be managed by DEED?**

Jo Dawson and her team provide weekly round table webinars for districts to address questions related to Child Nutrition. The Zoom meeting invitations are sent out weekly. To be added to the mailing list, please contact Elizabeth Seitz at [elizabeth.seitz@alaska.gov](mailto:elizabeth.seitz@alaska.gov).

The Division of Public Assistance is taking the lead on distributing Child Care federal block grant funds. Shawnda O'Brien, Division Director, is the appropriate point of contact for legislative inquiries. Director O'Brien can be reached at [shawnda.obrien@alaska.gov](mailto:shawnda.obrien@alaska.gov) or at (907) 465-5847.

## Equitable Services

### **21. Will an example correspondence to private schools be available (equitable services consultation)?**

US ED staff have indicated that they will issue a frequently asked questions document on equitable services requirements of the CARES Act – funds allocated to LEAs are subject to equitable services as under Section 1117 of the Elementary and Secondary Education Act (ESEA). This document will be forthcoming. DEED will thoroughly review this document to help guide the development of any DEED equitable services consultation forms.

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### **22. What are the equitable services requirements for both the GEERF and ESSERF?**

- LEA receiving GEERF and ESSERF funds must 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 LEA must maintain control of funds for the services and assistance provided to a non-public school under the GEERF and ESSERF.
  - The LEA must ensure that a public agency will have title to materials, equipment, and property purchased with GEERF and ESSERF.
  - The LEA must ensure that services to a non-public school with GEERF and ESSERF will be provided by a public agency directly, or through contract with, another public or private entity.

### Other

### **23. Where do we look for this webinar's slides you mentioned will be available after webinar?**

The slides presented during the April 23, 2020 webinar are available on the Department's [website](https://education.alaska.gov/safeschools/infectiousdisease) (education.alaska.gov/safeschools/infectiousdisease).

### Contact Information

Please email [DEED.CARES@Alaska.gov](mailto:DEED.CARES@Alaska.gov) with any additional questions.