

Federal Education Update

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COVID Legislation Recap

- COVID 1: H.R. 6074, Coronavirus Preparedness and Response Supplemental Appropriations Act (3/6/20)
 - Small in scope and focus; targeted on bolstering capacity to respond to the COVID-19 health emergency.
- COVID 2: H.R. 6201, Families First Coronavirus Response Act (FFCRA) (3/18/20)
 - Includes funding adjacent to education: critical flexibility for school nutrition programs and mandate for sick paid/family leave.
- COVID 3: H.R. 748, Coronavirus Aid, Relief, and Economic Security Act (CARES) (3/27/20)
 - First bill to include dedicated funding for K–12 education (**\$13 billion**).
- COVID 4: H.R. 266, Paycheck Protection Program and Health Care Enhancement Act (4/24/20)
 - Series of technical changes, along with money for testing, hospitals and PPP.
- COVID 5: H.R. 133 Consolidated Appropriations Act / Coronavirus Response and Relief Supplemental Appropriations Act (CAA/CRRSAA) (12/27/20)
 - Massive FY21 spending and COVID-relief package that was months in the making. A.K.A. “CARES 2.0.” (**\$54 billion**)
- COVID 6: H.R. 1319 The American Rescue Plan Act of 2021 (ARP) (3/11/21)
 - Third round of dedicated funding for K–12 education. (**\$122 billion**)

LEAs Have Until 2024 to Obligate ARP Funds

\$122B ARP ESSER III. LEAs must obligate by 9/2024 ~\$2,400/pupil.
**20% must be used for learning loss*

\$54B CRRSAA ESSER II. LEAs must obligate by 9/2023 ~\$1,100/pupil.
**Broadly flexible — ED says expenses must relate to COVID-19*

\$13B CARES ESSER I. LEAs must obligate by 9/2022 ~\$250/pupil.

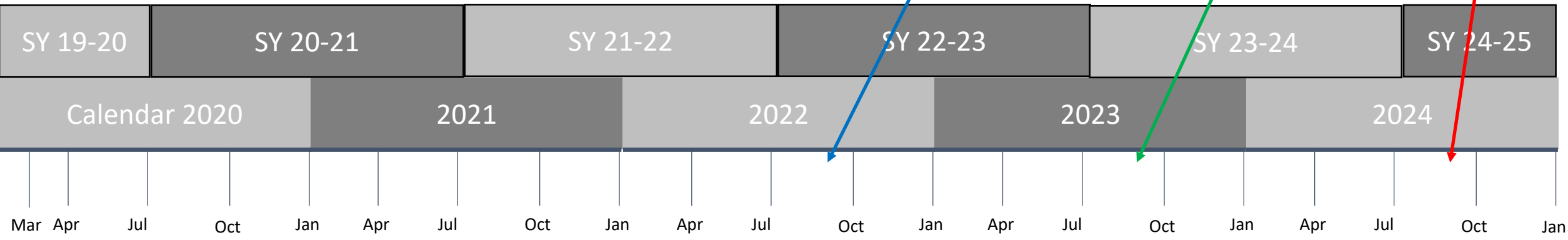


Image adapted from [White Board Advisors](#) and [Edunomics Lab, Georgetown University](#).

ARP: Distribution/Use of Funding

- 90% of funding will be distributed to districts based on their relative share of Title I, Part A (not a fan favorite)
- Allowable uses are flexible, similar to COVID 5 (the CRRSAA/“CARES 2” December bill). However, 20% must be set aside for learning loss/recovery.
 - Inspection, testing, maintenance, repair, replacement, and upgrade projects to improve the indoor air quality in school facilities
 - School facility repairs and improvements to enable operation of schools to reduce risk of virus transmission
 - Addressing learning loss/recovery
 - Planning and implementing activities related to summer learning
 - Providing mental health services and supports, including through community schools
 - Purchasing educational technology (including hardware, software, and connectivity)
 - Providing meals to students during school closures
 - Purchasing supplies to sanitize and clean buildings
 - And more!
- [Read ED’s ARP Allowable Uses Guidance here.](#)

ARP: Additional Set Asides

- McKinney-Vento Homeless Assistance Act:
 - \$800 million set aside. Translates into an increase of 8x McKinney-Vento program funding.
- IDEA / Special Education
 - \$2.5 billion. This is an increase of 20% in IDEA program funding when compared to annual appropriations.
 - Be careful! This is one-time funding. Beware of running into MOE issues.
- Education Assistance for Non-Public Schools (EANS)
 - \$2.75 billion in funding for non-public schools.

American Rescue Plan (ARP)

- Established an Emergency Connectivity Fund (ECF) — \$7.171 Billion for the “Homework Gap” through the E-Rate program
 - Eligible equipment: Wi-Fi hotspots, modems, routers, devices that combine modems and routers, connected devices (“laptop computer, tablet computer, or similar end-user device that is capable of connecting to advanced telecommunications and information services”)
 - Reasonableness Exception: “any reimbursement of a school or library for the costs associated with any eligible equipment may not exceed an amount that the Commission determines, with respect to the request by the school or library for the reimbursement, is reasonable.”
 - Eligible services: advanced telecommunications and information services (e.g., home Internet access)

ARP: Other Provisions

- **Child Care**
 - Childcare Development Block Grant: \$15 billion
 - Child Care Stabilization: \$23.9 billion
 - Head Start: \$1 billion
- **Other:**
 - State and Local Government Aid: \$362 billion.
 - \$1,400 stimulus checks to adults/child dependents.
 - Increases child tax credit (\$3,600 for children under 6; \$3,000 for children 6-17 years old).
 - Unemployment: Extends supplemental UI payments at \$300/week through September 6, 2021.
 - Paid Leave: ARP provides refundable tax credits previously available only to small and midsize private employers and expands them to include non-federal governmental employers of any size. These tax credits are available for wages paid for qualifying leave from April 1, 2021, through September 30, 2021. The paid leave credits are refundable tax credits against the employer's share of the Medicare tax, so employers can receive a payment for the amount of the credit that exceeds the employer's share of the Medicare tax.

School Infrastructure

- Biden Priorities: American Jobs Plan (AJP) and American Families Plan (AFP)
- Congress: Bipartisan Infrastructure Framework — \$579 billion in new spending for rebuilding roads and bridges, improving public transit systems, expanding passenger rails, upgrading ports and airports, investing in broadband infrastructure, fixing water systems, modernizing power sector, and improving climate resilience.
 - School-related provisions: \$\$\$ for electric school and transit buses and to eliminate lead service lines and pipes to deliver clean drinking water to up to 10 million families and 400,000+ schools and childcare facilities. NO funding for school, childcare, or community college infrastructure as proposed in the AJP.
 - Biden endorsed the framework; however, Speaker Pelosi said the House won't vote on a bipartisan infrastructure bill until the Senate passes a larger set of Democratic priorities (from the AJP and AFP) through budget reconciliation.
- Reconciliation: Build Back Better Act
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Budget Reconciliation

- House Build Back Better Act
- \$82 billion in direct aid to states/district to rebuild America's schools. There is a 10% match requirement for States. If a State applies for the funding, the Title I formula is used to distribute the funds.
- \$35 billion for school nutrition programs. Lowers ISP to 25% in CEP; gives states option for statewide CEP; allows for direct cert with Medicaid; extends Summer EBT nationwide for students who receive free or reduced-price school meals.
- \$5 billion for youth apprenticeships and pre-apprenticeship programs.
- \$400 million for districts to partner with higher education institutions to implement grow-your-own programs and teacher residencies to address teacher shortages.
- "Such sums as necessary" for expanding universal pre-K programs. States would apply for grants and target subgrants toward interested LEAs, ESAs and other child care providers located in high-poverty communities or in areas with limited early learning programs to provide children with pre-K opportunities. LEAs would not be mandated to provide pre-K programs but could partner with other child care and private partners to compete for grants to start or expand pre-K programs.
- \$4 billion for Emergency Connectivity Fund
- Permanent extension for CHIP

- AASA Priorities
 - \$\$ for infrastructure (RRASA)
 - Forest Counties and Success Act
 - DACA
 - Medicaid

Biden Vaccine and Testing Mandate

- Requires staff of Head Start programs, DOD schools, Bureau of Indian Education schools to be vaccinated
- Calls on all states to adopt vaccine mandates for all school employees
- Creates a new grant program, Project SAFE (Supporting America's Families and Educators), to restore funding withheld by state leaders who oppose efforts like mask requirements, virtual learning, etc. The funding can also be used to backfill salaries for district leaders who are implementing masking, etc.
- Providing new resources so students and school staff can be tested regularly and beefing up vaccine testing processes/systems.
- Providing every resource to the FDA to support review of applications for vaccines for <12
- Applies to every single private school
- Applies to 26 states with OSHA plans, incl California

AASA Advocacy Resources

- AASA Advocacy App
- AASA Policy Blog, The Leading Edge:
<https://aasa.org/LeadingEdge.aspx>
- AASA Advocacy on Twitter (@AASAdvocacy)
- Weekly and Monthly Updates



Questions? Contact Us!

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