

CARES Act (ESSER & GEER) Equitable Services Update

October 15, 2020

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CARES Act Equitable Services Timeline of Events

April 30, 2020 (Non-Regulatory Guidance) Non-Regulatory Guidance issued by the U.S. Department of Education about Equitable Services for students and teachers in non-public schools under the CARES Act.

July 1, 2020 (Interim Final Rule) Interim Final Rule published by the U.S. Department of Education establishing regulations on determining proportionate share and serving non-public schools under the CARES Act.

September 4, 2020 (Court Ruling – IFR) The U.S. District Court for the District of Columbia issued an opinion and an order vacating the IFR.

The IFR is no longer in effect.

September 25, 2020 (U.S. Department of Education Response) The U.S. Department of Education issued a letter stating that they will not appeal the ruling from September 4, 2020.

CARES Act (ESSER & GEER) Equitable Services Changes

Process Prior to September 9th

"An LEA uses enrollment data in non-public school whose students and teachers will participate under the CARES Act programs compared to enrollment in public schools in the LEA to determine proportional share."

PROVIDING EQUITABLE SERVICES TO STUDENTS AND TEACHERS IN NON-PUBLIC SCHOOLS UNDER THE CARES ACT PROGRAMS, April 30, 2020, 10B

Private School Enrollment Information (only	f participating)
TOTAL Student Enrollment at the Private School	
TOTAL Number of Teachers at the Private School	

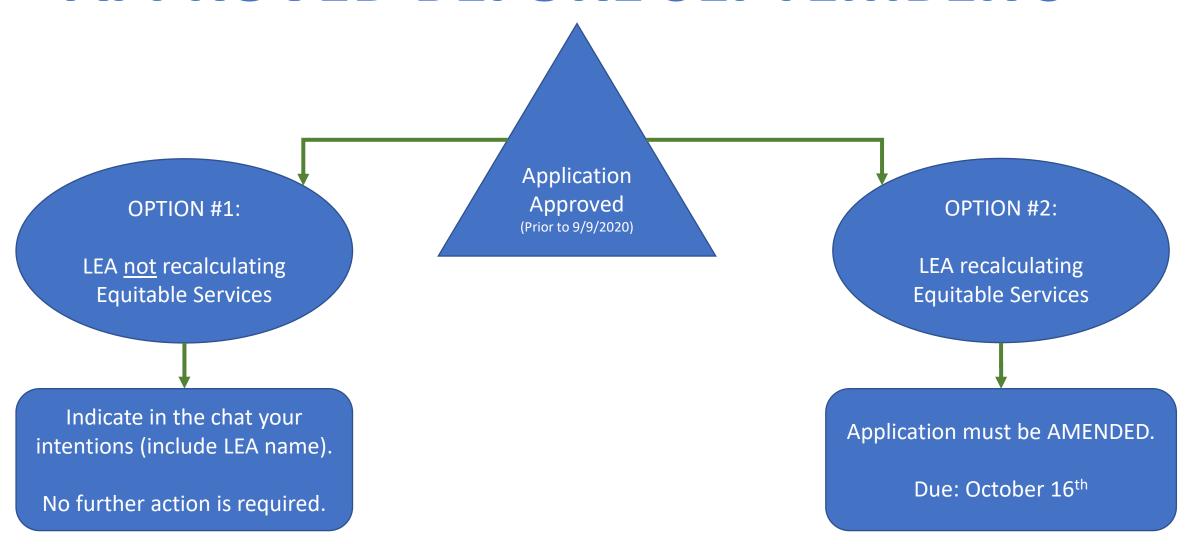
Process After September 9th

"Expenditures for educational services and other benefits to eligible private school children shall be equal to the proportion of funds allocated to participating school attendance areas based on the number of children from low-income families who attend private schools."

ESSA Section 1117(a)(4)(A)(i)

Private School Enrollmen	nt Information (only if participating)
# of low-income students from served Title I attendance areas: Student Enrollment Data must be prior to March 14, 2020 Student Enrollment Data Date (mm/dd/yyyy):	Methods for Determining Poverty (choose only 1 option) Free and Reduced Lunch Applications % Proportion Scholarship Information Poverty Survey If you have any questions about completing this portion of the form, please reach out to the Public School Contact above.

OPTIONS FOR LEAS APPROVED BEFORE SEPTEMBER 9TH



Determining the Number of Eligible Private School Children

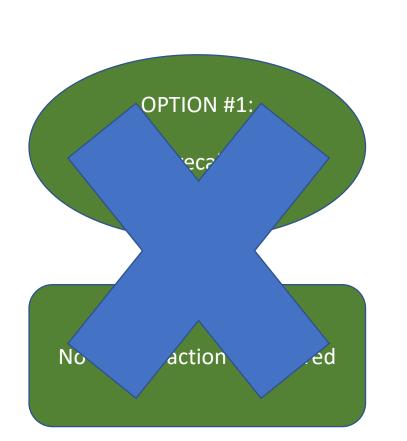
Consultation with Private School Officials

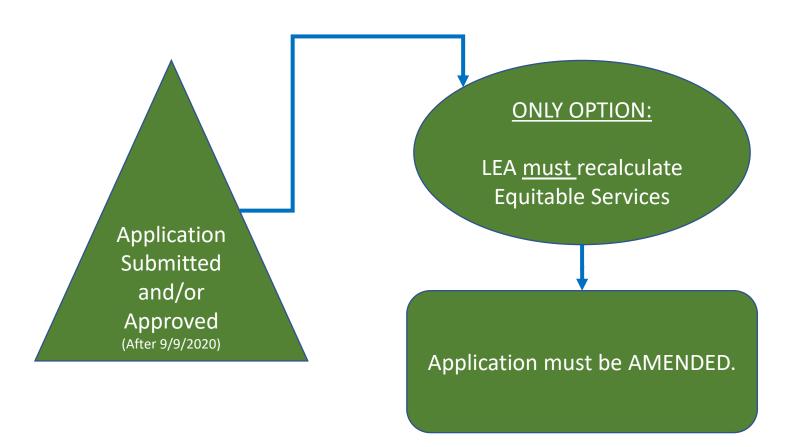
Items to Consider for Option #2 (Approved Prior to 9/9/20)

Services already purchased with ESSER and/or GEER funds for private schools.

Consultation with LEA Leadership Team and Board Attorney

OPTIONS FOR LEAS SUBMITTED AND/OR APPROVED AFTER SEPTEMBER 9TH





Scenario #1:

ESSER Approved before 9/9/2020 GEER Approved after 9/9/2020

ESSER Application

Approved: 6/30/2020

GEER Application

Approved: 9/15/2020

WHAT OPTIONS DO I HAVE:

ESSER: The LEA has the option to keep the application as submitted or amend the application.

GEER: The LEA must amend the application and resubmit.

Scenario #2:

ESSER and GEER Approved before 9/9/2020

ESSER Application

Approved: 6/30/2020

GEER Application

Approved: 8/30/2020

WHAT OPTIONS DO I HAVE:

ESSER and GEER: The LEA has the option to keep the applications as submitted or amend the applications.

Scenario #3:

ESSER Approved after 9/9/2020 GEER Not Submitted

ESSER Application

Approved: 9/15/2020

GEER Application

Application NOT Submitted

WHAT OPTIONS DO I HAVE:

ESSER: The LEA must amend the application and resubmit.

GEER: The LEA must use the amended process when submitting the application.

The following slides are only for LEAs that need and/or want to amend or submit their applications.



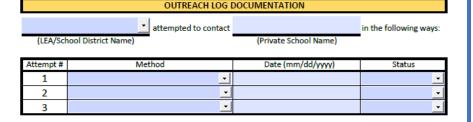
AMENDED Equitable Services Allocation Process

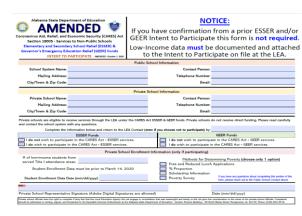
STEP 1

Invite <u>ALL</u> private schools who serve students who live within your attendance area to participate:

- Private Schools who are located within the LEA attendance area
- Private Schools who serve LEA students but are located outside the LEA attendance area
- Private Schools who are located Out-of-State (LEAs that border neighboring states)

Make sure to record all outreach on the Outreach Log – 3 ways using 2 methods is the minimum.





If you have confirmation from a prior ESSER and/or GEER Intent to Participate the amended form is **not required**.

Low-income data **must** be documented and attached to the Intent to Participate on file at the LEA.

This form **must** be used if you have not previously contacted one or more private schools.

Frequently Asked Questions

Question:

We do not have any private schools in our area. Why was my application returned?

Question:

The private school in our area did not want to participate. Why was my application returned?

Answer:

All LEA applications approved and/or submitted after September 9th were returned in order for LEAs to review their equitable services for private schools based on the requirements of Title I, Part A.

Methods of Calculating Poverty:

"A local educational agency shall have the final authority, consistent with this section, to calculate the number of children, ages 5 through 17, who are from low-income families and attend private schools by —

- (A) using the same measure of low-income used to count public school children;
- (B) using the results of a survey that, to the extent possible, protects the identity of families of private school students, and allowing such survey results to be extrapolated if complete actual data are unavailable;
- (C) applying the low-income percentage of each participating public school attendance area, determined pursuant to this section, to the number of private school children who reside in that school attendance area; or
- (D) Using an equated measure of low-income correlated with the measure of low-income used to count public school children."

ESSA 1117(c)(1)

(C) Proportionality - Example

Private School Data must reflect student enrollment prior to March 13, 2020

Private School Total Enrollment – 200

- Private School Students Residing in LEA 100
 - Private School Students Residing in Title I Attendance Areas 70
 - Students who qualify for School A (80% Poverty): 40 (40 x .80 = 32)
 - Students who qualify for School B (70% Poverty): 20 (20 x .70 = 14)
 - Students who qualify for School C (60% Poverty): 10 (10 x .60 = 6)
 - Private School Students <u>NOT</u> Residing in Title I Attendance Areas 30
- Total # of Private School Students (Poverty Count): 52 students

AMENDED Equitable Services Allocation Process

STEPS 2 & 3

Complete the AMENDED Private School Enrollment Survey using verified data from Private Schools.

I EA **I ow-Income Student Data was nulled from the

AMENDED: September 22, 2020

TOTAL **LOW-INCOME STUDENT ENROLLMENT FOR LEA: Please check box and return if there are NO private schools in y For each participating private school in your attendance area pleas 1. Name and address of each participating private school in your 2. Total **low-income enrollment of each participating private school	your attendance are se provide the follo attendance area.	ea <u>OR</u> no private sc	hools are participating in ESS **Expenditures for educational servic school children shall be equal to the participating school attendance areas low-income families who attend priva	ER or GEER functes and other beneft proportion of funds s based on the num	its to eligible private allocated to
	1			2	2
Name of Private School		Address of Priva	te School	TOTAL **Lo Enrollment of Private \$	
				ESSER Funds	GEER Funds
		Total Numbe	er of Private School Students:	0	0

(Duplicate this form as necucu)

SCHOOL SYSTEM:

LEA Low-Income Enrollment will auto fill once you select your LEA.

Amended Applications will not be processed without this form.

Email to sally.meek@alsde.edu

AMENDED Equitable Services Allocation Process

STEP 4



YOU ARE REQUIRED TO CONSULT WITH ALL PRIVATE SCHOOLS WHO WISH TO PARTICIPATE IN ESSER OR GEER PROGRAMS.

POINTS TO CONSIDER DURING CONSULTATION:

- Discuss new methodology
- Calculation Process
- Data to be Collected and Verified
- Implementation Plan Revisions

AMENDED

Equitable Services Allocation Process

STEPS 5 & 6

Complete the AMENDED Equitable Services Implementation Form using data from the AMENDED Private School Survey.

This form must be completed	Coronavirus Aid, Relief, a Section 18005 - Se Elementary and Secondary School Relief (ESSER EQUITABLE SERVIC	ES IMPLEMENTATION FORM AN ral Information ith private school officials for both ESSER a	ENDED: Septen	
	Private S	School Information		
Private School Name:		Contact Person:		
		Telephone Number:		
City/Town & Zip Code:				
	Public S	chool Information		
School System Name:		Contact Person:		
_	Equitable Service	es - CARES Act Allocation		
	Funding Source:	ESSER	GEER	
a = 5	A. Determining Proportional Share for Equ	itable Services		1
gible ed o	**A1. TOTAL Low-Income LEA Student Enr	ollment (from FY20 Title I, Part A Set-Asides Page in eGap)	
in le services and other benefits to eligible to the equal to the proportion of funds chool et equal to the proportion of the chool et end and expect on the sw-income families who attend private share of funds shall be determined based received by the local education agency unable expenditures or transfers by the local education agency unable expenditures or transfers by the local education agency unable expenditures or transfers by the local education agency unable expenditures or transfers by the local education agency and the local education agency and the expenditures or transfers by the local education and the expenditures or transfers by the local education and the expenditures or transfers by the local education and the expenditures or transfers by the local education and the expenditures or transfers by the local education and the expenditures or transfers by the local education and the expenditures or transfers by the local education and the expenditures or transfers by the local education and the expenditures or transfers by the local education and the expenditures or transfers by the local education and the expenditures or transfers by the local education and the expenditures or transfers by the local education and the expenditures or transfers by the local education and the expenditures or transfers by the local education and the expension and the expens	**A2. TOTAL Private School Low-Income S	tudent Enrollment for ALL participating schoo	ls	
fits to of fundamental fits fundamenta	**A3. TOTAL Low-Income Student Enrollm	ent (A1 + A2)	0	
other benefits to el proportion of funds areas based on the s who attend privat Il be determined ba call education agenc or transfers by the ESSA 1117(0)(4)		.00% **A5. Private School Proportion	= 0.00%	
her b port as b ho a ho a ceduc tran	B. Private School Equitable Service Allocati	ion		
pro pro sall b	B1. Total LEA CARES Act Allocation			
s and the left the le	B2. Proportional Share for Private School E		0.00%	
vice alto tend fund fund by t	B3. Total Equitable Services Allocation for		\$0.00	1
l ser equ ol att	C. Administrative Costs Set-Aside Amounts			1
onal thoc hare	C1. Administrative percentage reserved by		-	
ucati sha ng s m lo m lo m lo m lo	C2. Administrative costs (up to 10%) reserv		\$0.00	4
or educati ildren sha cipating s en from lo nortional s of funds i of funds i	D. Per Pupil Amount (PPA) for Private Scho			4
ss fo chill dree incy.	D1. Total CARES Act Allocation after admin D2. Per Pupil Amount - PPA (D1 divided by	, ,	\$0.00	1
litura hool to p of chi he p amo orior	F. Private School Allocation	7/2]		1
yopenditures for educational services and other benefits to eligible at a school children shall be equal to the proportion of funds cated to participating school attendance areas based on the moter of children from low-income families who attend private ools. The proportional share of funds shall be determined based on total amount of funds received by the local education agency undepart prior to any allowable expenditures or transfers by the local cation agency.	**E1. TOTAL Low-Income Student Enrollm	ent at		1
X 2 2 E 5 P L 2				4

This form must be completed and signed by both the LEA Representative and Private School Officials.

This form is **required** if you have private schools participating.

Email to sally.meek@alsde.edu

Frequently Asked Questions

Question: What if I have submitted my application after September 9th and I have no changes to the Equitable Services?

Question: What if I have already submitted my application but I have changes that are needed for Equitable Services?

Answer: You will need to submit the following only:

- 1. AMENDED Private School Survey
- 2. Updated Signature Page

Answer: We will provide additional guidance over the next few slides detailing the process.

Frequently Asked Questions

Question: What if I have not submitted an application?

Answer: Email your completed application using the revised equitable services guidance for review.

Question: What if I have an approved application prior to September 9th and do not want to make any changes?

Answer: Indicate in the chat that no changes will made by your LEA (include LEA name). No further action is required.

AMENDMENT PROCESS FOR ESSER APPLICATIONS:

- 1) Update the Budget on page 2 of the ESSER application with any budget allocation changes.
 - ➤ **NOTE:** The amount for equitable services should match the total amount from the AMENDED Equitable Services Implementation Form (including any overages due to the inability of retrieving some services from private schools).

Provide a o	rovide a detailed budget to explain how ESSER funds will be used in your LEA.					
	CARES Act ESSER Funds					
	FUND SOURCE CODE 4290					
Function	Object	Program	Amount	Brief Description of Expenditure		

- 2) Update the Equitable Services Assurance section on page 3 of the ESSER application to include the following information:
 - How will equitable service funds be used by the private schools?
 - How will timely and meaningful consultation occur with private schools?
 - What is the proposed timeline for services and assistance to be implemented by private schools?

Provide a brief explanation of the following: How will equitable service funds be used by the private schools?
How will timely and meaningful consultation occur with private schools? What is the proposed timeline for
services and assistance to be implemented by private schools?

- If you are allocating funds to an area already identified on the original LEA budget, no additional changes are needed.
- 4) If you are allocating funds for additional services to the application, update the following boxes:
 - How will the LEA determine the most important educational needs as a result of COVID-19? (page 1)
 - Which allowable activities will the LEA use ESSER funds to provide educational services? (page 2)
 - What is the LEA's proposed timeline for providing services and assistance to students and staff? (page 3)
 - How will the LEA use ESSER funds to promote remote learning? (page 3)
 For example: You did not allocate funds for PPE but now would like to purchase PPE.
- 5) Once all revisions are completed, please have the CSFO and Superintendent sign the application.
- 6) Email the amended ESSER application to CARESapp@alsde.edu for review and approval.

AMENDMENT PROCESS FOR GEER APPLICATIONS:

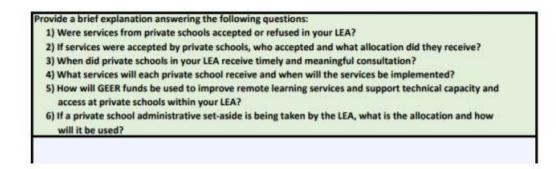
- 1) Update Private School Equitable Services Allocation on page 1 of the GEER application.
 - NOTE: The amount for equitable services should match the total amount from the AMENDED Equitable Services Implementation Form (including any overages due to the inability of retrieving some services from private schools).

250-250 CM - X500 - X500 - XXXXXXXXXXXXXXXXXXXXXXX	
A. Private School Equitable Services Allocation	
NOTE: Use the Private School Equitable Services Implementation Form for this section.	
The LEA has no private schools in their attendance area	
The LEA has private schools but ALL declined to participate in CARES Act GEER funding	
The LEA has private schools that will participate in CARES Act GEER funding	
Complete the section below only if you have private schools that will be participating in GEER fo	unds:
Total LEA GEER Allocation	
Total LEA Private School Allocation	
Total LEA Private School Administrative Costs Set-Aside	
Total # of Private Schools Participating	
Total Student Enrollment at the LEA	
Total Student Enrollment at ALL Participating Private Schools	

Update the LEA Allocations for Section B, Section C, and Section D on page 2 of the GEER application.

 Equip school buses with Wi-Fi capabilities to increase internet connectivity and help bridge the digital divide within the LEA. 	C. Provide additional academic support to bridge learning and achievement gaps of students within the LEA.	D. Provide before and after school tutoring as defined in the Alabama Literacy Act for learning and remediation is schools within the LEA.
LEA Allocation for Section II:	LEA Allocation for Section C:	UEA Alfocation for Section D:
The LEA will use the allocation above for equipping school buses with Wi-Fi capabilities. The LEA will not use this allocation for equipping school buses with Wi-Fi capabilities.	The LEA will use the allocation above for providing additional academic support to students. The LEA will not use this allocation for providing additional academic support to students.	The LEA will use the allocation above for providing tutoring to students. The LEA will not use this allocation for providing tutoring to students.
Complete the section below only if your LEA chooses not to use this allocation: Reason/Rationale: We will transfer this allocation to: Academic Support to Bridge Learning and Achievement Gaps of Students (C) Amount to be transferred: Before and After School Tutoring for Learning and Remediation in Schools (D) Amount to be transferred:	Complete the section below only if your LEA chooses not to use this allocation: Reason/Rationale: We will transfer this allocation to: Equipping School Busies with Wi-Fi Capabilities (B) Amount to be transferred: Before and After School Tutoring for Learning and Remediation in Schools (D) Amount to be transferred:	Complete the section below only if your LEA chaoses not to use this aflocation: Reason/Rationale: We will transfer this aflocation to: Equipping School Buses with Wi-Fi Capabilities (B) Amount to be transferred: Academic Support to Bridge Learning and Achievement Gaps of Students (C) Amount to be transferred:

- Update the Equitable Services Assurances Section on page 3 of the GEER application.
 - NOTE: Make sure to answer all 6 questions based on the Equitable Services Implementation Form.



Update the Budget on pages 7 & 8 of the GEER application with any budget allocation changes.

7-7		Total Section A Allocation	
Expense Items	Brief Description of Expense Items	Funding Source (Function - Object - Program)	Estimated Budget Amount
Private School Allocation	See Detailed Narrative in Section 2A		
Private School Admin. Costs	See Detailed Narrative in Section 2A		
Admin. Costs			
	Buses with Wi-Fi Capabilities	Total Section 8 Allocation	
B. Equipping School		Total Section 8 Allocation	Estimated Budge
	Buses with Wi-Fi Capabilities Brief Description of Expense Items	Total Section B Allocation Funding Source (Function - Object - Program)	Estimated Budget
B. Equipping School		Funding Source	
B. Equipping School Expense Items		Funding Source	

	- Charles and Control of the Control of the Control	Total Section C Allocation	Acres - Inserting
Expense Items	Brief Description of Expense Items	Funding Source (Function - Object - Program)	Estimated Budge Amount
Salaries			
Benefits (f apricable)			
Classroom Supplies (misdeg pert materials)			
Transportation (Figures)			
Indirect Costs			1
Otruc (if approxima			1

(Table 1979)	**************************************	Total Section D Allocation	
Expense Items	Brief Description of Expense Items	Funding Source (Function - Object - Program)	Estimated Budget Amount
Salaries			
Benefits (Fephalis)			
Classroom Supplies (notwing prot materials)			Œ
Transportation Of applicables			
Indirect Costs			3
Disa (Fappings)			~

If you are allocating funds to an area already identified on the original LEA budget no additional changes are needed.

- 6) If you are allocating funds for additional services to the application, update the following boxes:
 - 2B. Equipping School Buses with Wi-Fi Capabilities (page 4)
 - 2C. Additional Academic Supports to Bridge Learning and Achievement Gaps (pages 4-6)
 - 2D. Before/After School Tutoring (page 6)
 - How will the LEA plan for implementation and measure impact for effectiveness for purchases identified? (page 9)
 - What is the proposed timeline for providing services and assistance to students and staff? (page 9)

For example: You did not allocate funds for PPE but now would like to purchase PPE.

- 7) Once all revisions are completed, please have the CSFO and Superintendent sign the application.
- 8) Email the amended GEER application to CARESapp@alsde.edu for review and approval.

THANK YOU FOR

