

Coronavirus Aid, Relief and Economic Security Act

The U.S. Senate on March 25 passed the \$2-trillion Coronavirus Aid, Relief and Economic Security (CARES) Act to help stabilize workers, families, and the economy during the COVID-19 public health crisis. The U.S. House of Representatives is expected to vote on Friday, March 27.

Economic Support for Educators and Households

- Recovery rebates for each taxpayer of \$1,200 (\$2,400 for joint returns), and an additional \$500 for every child under 17; rebates are reduced for higher-income taxpayers and begin phasing out after a single taxpayer has \$75,000 in adjusted gross income (\$112,500 for head of households and \$150,000 for joint filers)
- Amounts will be based on 2018 tax returns; the rebate is reduced by \$5 for each \$100 by which a taxpayer's income exceeds the phase-out threshold and completely phased out for single taxpayers with incomes exceeding \$99,000 (\$198,000 for joint filers)

Education Funding

- \$30.7 billion for Education Stabilization Fund (ESF)
 - \$3 billion for Emergency Education Relief grants to states to help LEAs and higher education institutions help provide educational services and support—and notes it can be used to protect educator jobs
 - \$13.5 billion to K-12 education for the following allowable uses:
 - activities authorized by ESEA, IDEA, Adult Education and Family Literacy, Perkins CTE, and McKinney-Vento Homeless Assistance
 - coordination efforts to prevent, prepare for, and respond to coronavirus
 - resources for principals and school leaders to the needs of their individual schools
 - activities and service delivery to address the unique needs of students that are low-income, children with disabilities, English learners, racial and ethnic minorities, the homeless, foster care youth
 - training and professional development on sanitation and minimizing spread of infectious disease
 - Purchasing supplies to clean and sanitize LEAs
 - Planning and coordination on providing meals and technology for online learning, including guidance on meeting IDEA requirements
 - Purchasing education technology including hardware, software, and connectivity
 - Providing mental health services
 - Planning summer learning, afterschool, or online learning during the summer months
 - Funds can be used to protect educator jobs
- \$14.2 billion available for higher education emergency relief for institutions of higher education to prevent, prepare for, and respond to coronavirus. Funds may be used to defray expenses for institutions of higher education, such as lost revenue, technology costs

associated with a transition to distance education, and grants to students for food, housing, course materials, technology, health care, and child care.

- Part of these funds will be specifically targeted for historically black colleges and universities (HBCUs) and minority-serving institutions (MSIs)

Student Loans

- Six-month suspension of federal student loan payments and interest accrual (through September 30)
- Suspended monthly payments are considered as qualified payments toward achieving Public Service Loan Forgiveness
- Protects student borrowers from any involuntary collections, wage garnishments, reduction of tax refund, or reduction of federal benefit payment during the COVID-19 public health crisis
 - Informs borrowers of the program, not later than 15 days after enactment, and requires the Secretary of Education by August 1 to provide no less than six notices via postal mail, telephone, or electronic communication of when payment suspension concludes and options to enroll in federal income-driven repayment plans

Employer participation in student loan repayment:

- Enables employers to provide student loan repayment benefits to employees on a tax-free basis; an employer may contribute up to \$5,250 annually towards an employee's student loan, and such payment would be excluded from the employee's income
- Applies to any student loan payments made by an employer on behalf of an employee after date of enactment and before January 1, 2021

Department of Education Regulations/Waivers

National Emergency ESSA/ESEA Waiver Authority

- Provides the Department of Education with emergency waiver authority for the 2019-2020 academic year of certain provisions of the Elementary and Secondary Education Act (ESEA)
- Sets up a streamlined waiver process for statutory or regulatory requirements related to assessments, accountability and reporting requirements related to assessments and accountability

What can be waived:

- Statewide assessments required under ESSA
- Statewide accountability systems, including reporting of all students and student subgroups on statewide assessments, and indicators (including the Opportunity Indicator)
- Identification of schools for comprehensive, targeted, and additional targeted support and improvement and identification of consistently underperforming schools with struggling subgroups

- Resource allocation reviews and identification of resource inequities required for schools identified for additional targeted support and improvement and districts with high numbers of CSI/TSI schools
 - School report card data pertaining to English learner progress toward proficiency, Opportunity Indicator(s), progress of all students and student subgroups toward meeting State-identified long-term goals, students assessed and not assessed, and more
- Requires the Secretary of Education and state and local educational agencies to publicly report and provide the public the opportunity to comment on the waiver requests and approvals or denials of those requests

Homework Gap

- Glaringly missing are dedicated funds for the Homework gap, e.g. \$2 billion for the E-rate for schools to get Wi-Fi hotspots to students
- While the \$13.5 Education Stabilization Fund for K-12 includes purchasing education technology (hardware, software and connectivity) as an allowable use, there is not a dedicated fund to ensure the homework gap is addressed
- Department of Agriculture Rural Development bill provides \$25 million to support the Distance Learning and Telemedicine program
 - Related, but not immediately helpful for the homework gap is a \$100 million provided to the ReConnect program to ensure rural Americans have access to broadband

Higher Education

- Institutions allowed to issue work-study payments to students who are unable to work during school campus closures
- Exclusions for Pell Grant eligibility, subsidized loan limits, and institutional refund for students who needed to withdraw from school during COVID-19 crisis
- Deferments of capital financing loans for HBCUs for the duration of the pandemic emergency
- TEACH Grant and Teacher Loan Forgiveness programs are modified to allow exemptions during qualifying emergencies, like COVID-19, if educator is unable to fulfill their teaching service obligation (TEACH) or consecutive years of teaching service (TLF)

Unemployment Insurance

- Covers individuals whose place of employment is closed as a direct result of the COVID-19 public health emergency—including educators who are not working because of closures
- Covers individuals who have a COVID-19 diagnosis, or are caring for spouse, child, or household member COVID-19, including educators
- Applies to individuals who are not eligible for regular compensation or extended benefits under State or Federal law or pandemic emergency unemployment compensation
- Provides for an additional 13 weeks of unemployment insurance
- Applies to full- and part-time workers who have been laid off

- Waives seven-day waiting period
- Individuals can receive an additional \$600 per week above the states' determination of qualifying unemployment compensation

(Eligibility dates are January 7, 2020 through December 31, 2020; OMB can exclude certain federal workers)

Voting and Elections

- \$400 million to states to help prepare for the 2020 elections, i.e., funds to increase the ability to vote by mail, expand early voting and online voter registration, and increase the safety of voting in-person by providing additional voting facilities and more poll workers

Civil Rights

- \$50 million for the Legal Services Corporation (LSC) to assist low-income Americans coping with job losses, eviction, domestic violence, and consumer scams

Department of Interior – Bureau of Indian Education (BIE)

- Provides \$69 million for BIE-funded schools, including staffing, transportation, telework, and cleaning activities and assistance for tribal colleges and universities

Early Education/Child Care

- \$3.5 billion in funding for Child Care and Development Block Grant Program to prevent, prepare for, and respond to coronavirus (to remain available through September 30, 2021)
- \$1.87 billion in funding for Children and Families Services Program including \$750 million of that amount for Head Start Programs (to remain available through September 30, 2021)

Education Support Professionals

- Developing and implementing procedures and systems to improve the preparedness and response efforts of LEAs
- Training and professional development for staff of the LEA on sanitation and minimizing the spread of infectious diseases
- Purchasing supplies to sanitize and clean the facilities of an LEA, including buildings it operates.
- Planning for and coordinating during long-term closures, including how to provide meals to eligible students

Health Care

- Requires group health plans and health insurance issuers who offer group or individual health insurance to cover the cost of any qualifying coronavirus service, without requiring co-pays

- Medicare payment increases to all hospitals and providers during this crisis, and new investments in the country's Strategic National Stockpile, surge capacity, and medical research into COVID-19

Housing/Homelessness

- \$48.5 billion for transportation and housing activities, to prevent evictions and to assist homeless individuals find shelter or temporary housing, and for those most vulnerable to COVID-19, to temporarily self-quarantine and gain access to support services to diminish the risk of exposure
- \$4 billion for the Emergency Solutions Grants Program to support additional assistance to homeless individuals, including eviction prevention measures such rapid rehousing, housing counseling, and rental deposit assistance
- \$3 billion for rental assistance protections for more than 4.5 million low-income households

IDEA

- No later than 30 days after enactment, the Secretary of Education must file a report to HELP Committee, Education and Labor Committee, and both appropriations committees with recommendations on additional waivers for IDEA (and Perkins/CTE

Immigration

- Undocumented individuals do not qualify for Unemployment Insurance or individual/family stimulus checks as a SSN is required
- No funds for Customs Border Patrol (CBP) or Immigration and Customs Enforcement (ICE) for enforcement or otherwise
- Funds for the Department of Homeland Security (DHS) have transfer restriction language that prevents them from being moved for other purposes than intended (e.g., enforcement, etc.)
- \$27 billion for Public Health and Social Services Emergency Fund (no immigration restrictions)

Nutrition/Food Assistance

- \$15.5 billion in additional funding for the Supplemental Nutrition Assistance Program (SNAP); this funds the current caseload and anticipated increases from the Families First bill
- \$8.8 billion in additional funding for Child Nutrition Programs in order to ensure children receive meals while school is not in session; intended to cover anticipated costs from waivers included in the Families First bill
- \$100 million to guarantee SNAP participants on Indian Reservations receive food and facilities have the capacity to meet increased needs
- \$450 million for The Emergency Food Assistance Program (TEFAP) program

Poverty Mitigation

- \$5 billion for the Community Development Block Grant (CDBG) program to cities, counties, and states for the expansion of community health facilities, child care centers, food banks, and senior services
 - \$2 billion to states and units of local government that received an allocation under the FY 2020 CDBG formula
 - \$2 billion to states, counties, cities, and units of local government based on the prevalence and risk of COVID-19-related economic and housing disruption
 - \$1 billion directly to states for a coordinated response in entitlement and non-entitlement communities