

**Coronavirus Aid, Relief, and Economic Security Act Funding**  
**Elementary and Secondary Education Emergency Relief Fund: A Guide for School Districts**  
Updated: 4/27/2020

South Dakota is set to receive \$41 million from the CARES Act Elementary and Secondary Education Emergency Relief Fund. Ninety percent of this amount will flow to public school districts in the same proportion as each district received Title I, Part A funding in FY 2019. This allocation formula is per the federal law. The South Dakota Department of Education will retain approximately 10 percent of the total award for state-level activities, which have yet to be determined.

**Elementary and Secondary School Emergency Relief Fund**

- The purpose of Emergency Relief Fund is to address the impact of the novel coronavirus on elementary and secondary schools. This includes both continuing to provide learning opportunities while schools are closed and developing and implementing plans for the return to normal operations.
- Local spending options for Emergency Relief Funds are broad and flexible -- consistent with the federal government's goal of preventing, preparing for, and responding to COVID-19.
- Funds may be used for any activity authorized by ESEA, IDEA, the Adult Education and Family Literacy Act, the Perkins Act, or the McKinney-Vento Homeless Assistance Act, as well as other activities to help with the response to the coronavirus. (See page 3 for list of allowable activities.)
- The federal government's usual grant cost principles apply to these funds, including the requirement that spending be necessary, reasonable and allocable.
- To receive funds, the district shall, to the greatest extent practicable, continue to pay its employees and contractors during the period of disruptions or closures related to COVID-19.
- Application will be through the current Grants Management System; it will be a separate, unique application. Expect the application to be available around June 1.
- Title I's equitable services provisions apply to Emergency Relief Funds. Districts are required to provide equitable services to private school students and teachers, and as they do with Title I funds, and maintain control of the dollars. Services should be determined in consultation with private school representatives.

- While the distribution of Emergency Relief Funds to districts follows the Title I allocation formula, these are not Title I funds. Therefore, ranking and serving, school and student eligibility, and other Title I requirements do not apply to these funds. Further, distribution of funds at the local level may benefit any school regardless of its Title I status.
- There is no information regarding private school share yet. We are awaiting guidance from the U.S. Department of Education.
- At this time, we believe that districts will be required to obligate Emergency Relief Funds by Sept. 30, 2022. We will be seeking clarification on this point.
- At this time, we believe districts will be able to reimburse themselves for allowable expenses occurring on or after March 13, 2020. We will be seeking clarification on this point.
- At this time, we believe there is not a supplement versus supplant requirement associated with Emergency Relief Funds. We will be seeking clarification on this point.
- Districts will be required to separately identify and track the expenditures of Emergency Relief Funds.
- Districts will be expected to provide detailed reporting related to funds expended, such as a description of the project or activity, and the estimated number of jobs created or retained. We are awaiting guidance from the U.S. Department of Education.

This list of allowable activities for Emergency Relief Funds comes directly from the federal legislation.

#### SECTION 18003

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

(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 S.L.C.Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.).

(2) Coordination of preparedness and response efforts of local educational agencies with State, local, Tribal, and territorial public health departments, and other relevant agencies, to improve coordinated responses among such entities to prevent, prepare for, and respond to coronavirus.

(3) Providing principals and others school leaders with the resources necessary to address the needs of their individual schools.

(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, including how outreach and service delivery will meet the needs of each population.

(5) Developing and implementing procedures and systems to improve the preparedness and response efforts of local educational agencies.

(6) Training and professional development for staff of the local educational agency on sanitation and minimizing the spread of infectious diseases.

(7) Purchasing supplies to sanitize and clean the facilities of a local educational agency, including buildings operated by such agency.

(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 service scan continue to be provided consistent with all Federal, State, and local requirements.

(9) Purchasing educational technology (including hardware, software, and connectivity) for students who are served by the local educational agency that aids in regular and substantive educational interaction between students and their classroom instructors, including low-income students and students with disabilities, which may include assistive technology or adaptive equipment.

(10) Providing mental health services and supports.

(11) Planning and implementing activities related to summer learning and supplemental after school programs, including providing classroom instruction or online learning during the summer months and addressing the needs of low-income students, students with disabilities, English learners, migrant students, students experiencing homelessness, and children in foster care.

(12) Other activities that are necessary to maintain the operation of and continuity of services in local educational agencies and continuing to employ existing staff of the local educational agency.