



Summary of the Coronavirus Aid, Relief and Economic Security Act (CARES Act) – Section 18003 – the Elementary and Secondary School Emergency Relief Fund

Developed by the Region 6 Comprehensive Center (April 2020)

The CARES Act (H.R. 748) was signed into law on Friday, March 27, 2020, providing economic relief to U.S. citizens and public systems affected by the recent COVID-19 (coronavirus) pandemic. The total funding level for the Act is greater than \$30B, with a stated purpose to prevent, prepare and respond to the coronavirus, domestically or internationally. The funds will be available through September 30, 2021. While the Education Stabilization Fund as a whole includes four sections, the summary below reflects Section 18003, the Elementary and Secondary School Emergency Relief fund, with an estimated funding level of \$13B.

(Note: Other sections include Section 18001 – Set-asides for outlying areas, BIE programs, and burdened states; Section 18002 – Governor’s Emergency Education Relief Fund; and, Section 18004 – Higher Education Emergency Relief Fund.)

ELEMENTARY AND SECONDARY SCHOOL EMERGENCY RELIEF FUND SEC. 18003

- (a) Grants.** From funds reserved under section 18001(b)(2) of this title, the Secretary shall make elementary and secondary school emergency relief grants to each State Educational Agency with an approved application. The Secretary shall issue a notice inviting applications not later than 30 days of enactment of this Act and approve or deny applications not later than 30 days after receipt.
- (b) Allocations to States.** The amount of each grant under subsection (a) shall be allocated by the Secretary to each State in the same proportion as each State received under part A of Title I of the ESEA of 1965 in the most recent fiscal year.
- (c) Subgrants to Local Education Agencies (LEAs).** Each State shall allocate not less than 90 percent of the grant funds awarded to the State under this section as subgrants to LEAs (including charter schools that are LEAs) in the State. These subgrants are in proportion to the amount of funds such LEAs and charter schools that are LEAs received under part A of title I of the ESEA of 1965 in the most recent fiscal year.

(d) Uses of Funds.

- 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.).
- Coordination of preparedness and response efforts of LEAs 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.
- Providing principals and others school leaders with the resources necessary to address the needs of their individual schools.
- 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.
- 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 operated by such agency.
- 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.
- Purchasing educational technology (including hardware, software, and connectivity) for students who are served by the LEA 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.
- Providing mental health services and supports.
- Planning and implementing activities related to summer learning and supplemental afterschool 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.
- Other activities that are necessary to maintain the operation of and continuity of services in LEAs and continuing to employ existing LEA staff.

(e) State Funding. With funds not otherwise allocated under subsection (c), a State may reserve not more than 1/2 of 1 percent for administrative costs and the remainder for emergency needs as determined by the State Educational Agency to address issues responding to coronavirus, which may be addressed through the use of grants or contracts.

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