



# BEST FOR ALL

We will set all students on a path to success.

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**Linda Hayes** | Choice Coordinator

May 1, 2020



# BEST FOR ALL

We will set all students on a path to success.

## ACADEMICS

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ALL TENNESSEE STUDENTS WILL  
HAVE ACCESS TO A HIGH-QUALITY  
EDUCATION, NO MATTER WHERE  
THEY LIVE

## WHOLE CHILD

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TENNESSEE PUBLIC SCHOOLS  
WILL BE EQUIPPED TO SERVE THE  
ACADEMIC AND NON-ACADEMIC  
NEEDS OF ALL STUDENTS

## EDUCATORS

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TENNESSEE WILL SET A NEW PATH  
FOR THE EDUCATION PROFESSION  
AND BE THE TOP STATE TO  
BECOME AND REMAIN A TEACHER  
AND LEADER

TN

Department of  
Education

# Agenda

- Objectives
- CARES Act News & LEA Funding Guidance
- Graduation Ceremony Guidance
- IDEA Technology Partnership Grant
- Non-Traditional Education Program Guidance
- Emergency SBE Rules Guidance Documents
- Your Questions
- Resources



# Objectives



## Today, we will:

- provide Category I nonpublic schools and accrediting agency guidance in light of extended school closures due to COVID-19; and
- answer questions concerning nonpublic schools.

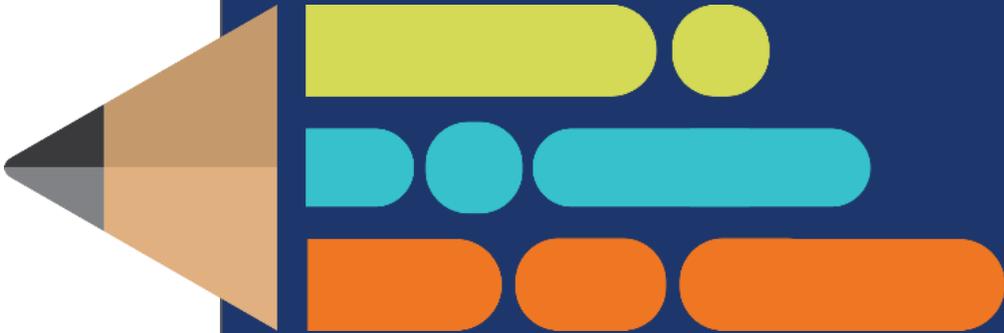
# Disclaimer



## **The following is guidance provided by the department:**

- Student and staff health and safety is the top priority; therefore, it is recommended that all decisions pertaining to this national health emergency be carefully evaluated by the organization's legal counsel and must consider all current CDC guidance.
- Involving your local health department and community leaders is important in making a well-informed decision for your organization.
- It is also important to note that this is a rapidly evolving situation, and guidance may change as events progress.

# CARES Act & ESSERF Overview



# CARES Act

The Coronavirus Aid, Relief, and Economic Security (CARES) Act was passed by Congress with overwhelming, bipartisan support and signed into law by President Trump on March 27, 2020. This over \$2 trillion **economic relief package** is intended to protect Americans from the public health and economic impacts of COVID-19.



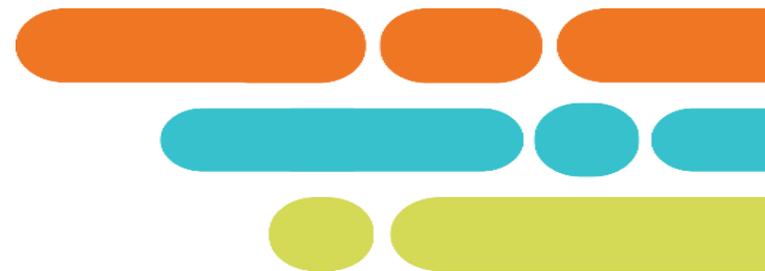
# ESSERF Allocations Overview



## Notes

- Allowable state administration is one half of one percent, or \$1,299,456.
  - Administration is based on total state allocation but part of state reservation.
- Period of availability ends Sept. 30, 2022.
- Pre-award costs are allowable from March 13, 2020.

# CARES Act: Education Stabilization Fund



The CARES Act provides **\$30.75 billion** for the new Education Stabilization Fund, which includes:

**\$3 billion for the Governor's Emergency Education Relief Fund**, which governors can use at their discretion to support their K-12 and higher education needs related to COVID-19.

**\$13 billion for the Elementary and Secondary School Emergency Relief Fund**, which states can use for a wide range of purposes, including purchasing computers and hot spot devices for online learning; purchasing supplies for cleaning and sanitization, supporting professional development for educators, and supporting access to quality instruction for students with disabilities.

**\$14 billion for the Higher Education Emergency Relief Fund**, which is awarded directly to institutions of higher education.

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# New CARES Act Document for Nonpublics

This week, the USDOE released *Providing Equitable Services to Students and Teachers in Nonpublic Schools under CARES Act Programs* to provide information about equitable services for students and teachers in nonpublic schools under the CARES Act, Public Law 116-136, 134 Stat. 281 (March 27, 2020).

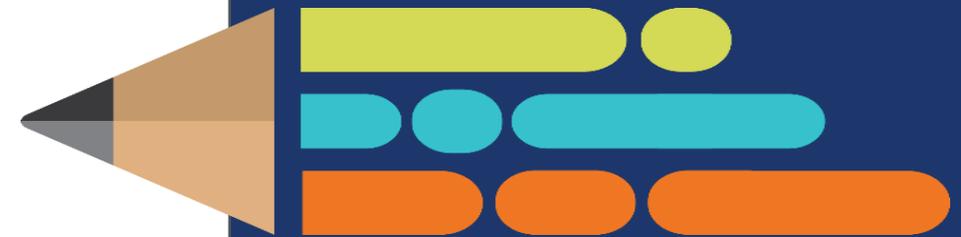
Two programs in the CARES Act Education Stabilization Fund require a local educational agency (LEA) that receives funds to provide equitable services to students and teachers in nonpublic schools:

- The [Governor's Emergency Education Relief Fund](#) (GEER Fund) totaling \$2,953,230,000 (Section 18002 of the CARES Act).
- The [Elementary and Secondary School Emergency Relief Fund](#) (ESSER Fund) totaling \$13,229,265,000 (Section 18003 of the CARES Act).

Providing Equitable Services to Students and Teachers in nonpublic Schools under CARES Act Programs Frequently Asked Questions can be found [here](#) on the GEER Fund website and [here](#) on the ESSER Fund website. Please note they are the same FAQs for both programs.



# LEA Funding Application



# Intent and Use of Funds

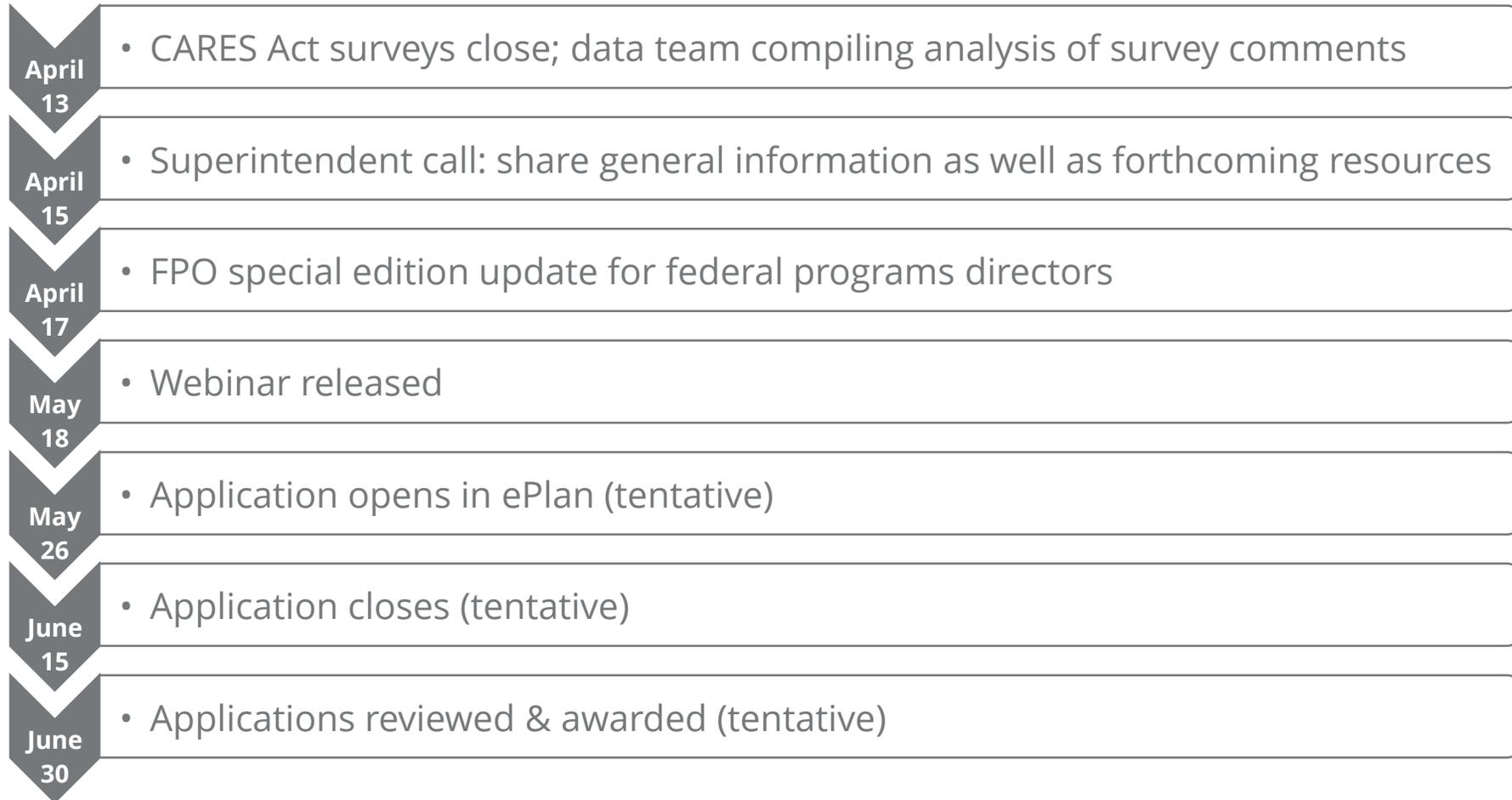
The intent of the funding is to 1) provide relief for existing needs and 2) plan for future needs.

A summary of allowable uses of these one-time funds are listed below\*:

- purchasing **education technology** (including hardware, software, and connectivity);
- providing **summer learning and supplemental afterschool programs** (including on-line learning);
- planning **for long-term closures**;
- addressing the unique needs of **special populations**;
- providing **mental health services**; and
- conducting **other activities** necessary to maintain operation of services and employing existing staff and coordination activities, including childcare and the needs of principals and school leaders.

*\*Including those uses of funds authorized under ESEA, CTE, IDEA, Adult Ed, and McKinney-Vento; and it applies Title I equitable services provisions for students and teachers in nonpublics.*

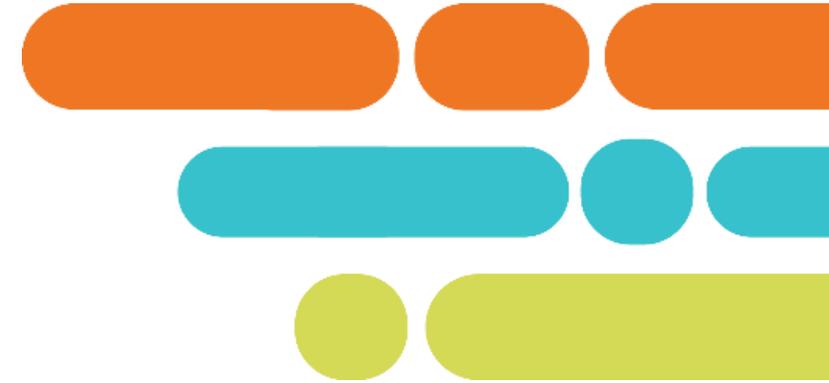
# LEA Application Timeline



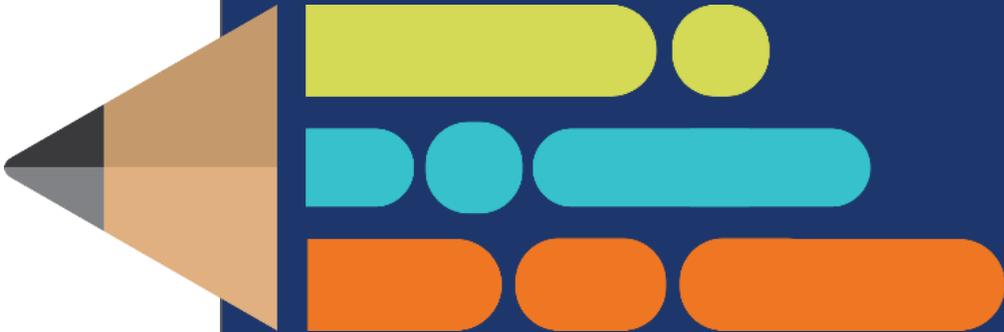
# Other ways nonpublics are eligible to receive CARES Act funds

- As 501(c)(3) nonprofit organizations, nonpublic schools are eligible for the Paycheck Protection Program (PPP).
- The PPP is a loan from the Small Business Administration that helps businesses keep their workforce employed during the COVID-19 crisis.
- The loan will be fully forgiven if the funds are used for payroll costs, interest on mortgages, rent, and utilities (due to likely high subscription, at least 75% of the forgiven amount must have been used for payroll).
- PPP loans are first-come, first-served.
- **\*\*\*Update: The PPP resumed on April 27\*\*\***

Source: [www.sba.gov](http://www.sba.gov)



# Graduation Ceremony Guidance



# Holding Graduation Ceremonies

Decisions around whether or not to host graduation ceremonies will remain at the discretion of local school boards and superintendents. We encourage local districts to consult their county or regional health departments on questions related to health and safety in hosting graduation ceremonies. The guidance document is [here](#).



# Ceremony Location Suggestions

- Football Stadiums or Larger Arenas: This would include limiting guests to accommodate total capacity, seating families in every three rows in the stadium, and seating graduates 6-feet apart.
- Drive-ins or Similar: Families may arrive, and remain seated in cars, which allows for minimal physical engagement. This can be done at drive-ins, large parking lots (like malls), or similar. Safe walking pathways would need to be outlined for graduates to exit the vehicles and safely collect their diplomas.
- Increase the Number and Decrease the Size: Instead of hosting one ceremony, host a series of smaller ceremonies in the same venue. This would be conducted similar to a traditional school day, where students would have six blocks of classes, for example.
- Individualized Ceremony: Schedule students to arrive in waves that allow them to walk in front of the school and families to walk on the sidewalk or drive-by in cars to take pictures.



# Ceremony Considerations

- Mark the standing locations of graduates waiting in line to collect their diplomas.
- Position any graduate seating at appropriate distances, so that chairs are distanced from one another in all directions.
- Consider the processional and support required to maintain acceptable distance.
- Consider whether masks will be suggested or required.
- Consider how diplomas will be collected when a student's name is called. Staff may consider placing the diploma on a table for the student to collect. Students may choose to walk across the stage, collect the diploma from the table, and pose for a picture individually or appropriately distanced from a school/district official.
- Set expectations, policies and guidelines in advance, and reiterate those before the ceremony day and at the start of the ceremony, to ensure overall health and safety.



# IDEA Technology Partnership Grant



# Grant Facts



The IDEA Technology Partnership Grant is intended to address technology needs that have been identified as a result of COVID-19 school closures to better support the educational needs of students with disabilities during this unprecedented time.

Only LEAs are eligible to apply for the IDEA Technology Partnership Grants.

Grant awards range from \$2,500 - \$20,000.

However, nonpublic schools should know that districts will be intentionally looking at the needs of students with disabilities and their access to remote learning opportunities.

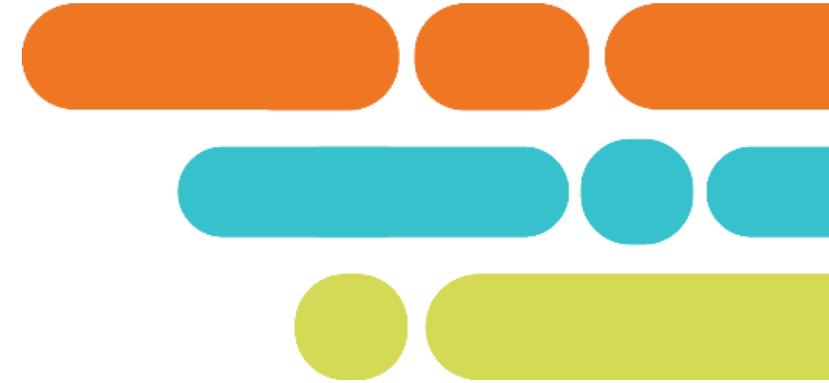
# IDEA Technology Grant Deadlines

District application due date: **May 8**

Districts notified of award: **May 15**

Deadline to obligate funds: **June 30**

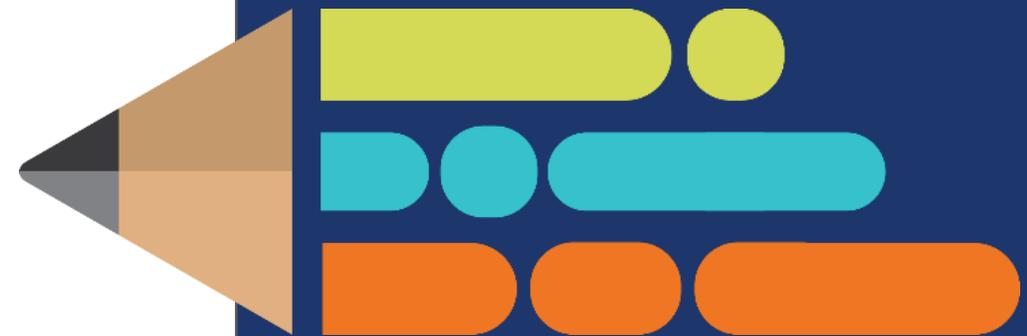
Deadline to liquidate funds: **September 30**



# Non-Traditional Educational Programs

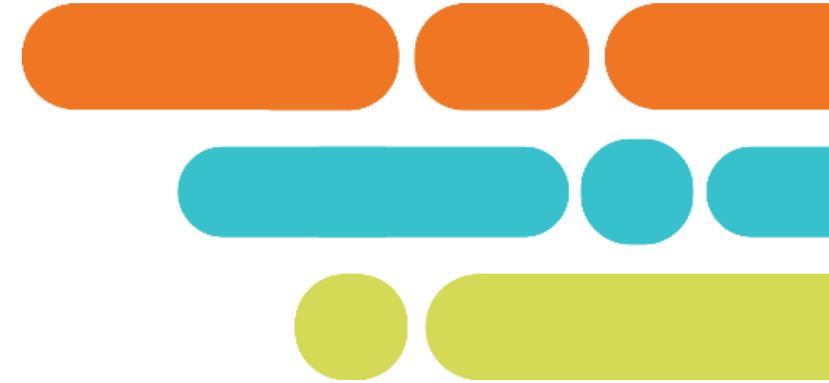
**Dan Froemel**

Director of Non-Traditional  
Educational Programs



## **Is a program allowed to receive funding through the (CARES) Act if they are eligible for funding through Title I, Part A—Neglected or Title I, Part D, subpart 1 or 2.**

The CARES Act does not state that eligible programs under Title I, Part A—Neglected or Title I, Part D, subpart 1 or 2 are eligible for funding under through the CARES Act. The department has reached out to both the U.S. Department of Education and the Neglected and Delinquent Technical Assistance Center (NDTAC) for further clarification and are currently awaiting a response.



## Do LEA employees report to work if the facility is still operational?

Some facilities utilize personnel employed by the LEA and funded through Title I, Part A—Neglected or Title I, Part D funds. The decision of whether these employees report to work is the responsibility of the employer—in this case, that is the local LEA. It is recommended that the LEA consult with their local board attorney, health departments, and school board to make the best possible decision for their staff members. For additional information, please refer to the Staffing, Educators, and EPP Resources on the departments [Update on Coronavirus](#) webpage.



## Are LEAs required to reimburse facilities for students placed in a residential treatment center through a physician's order during this public health emergency?

If the facility is still providing educational services then LEAs should reimburse based on their school calendar prior to any COVID-19 closure.



## **If a student in foster care moves into a new school zone while schools are closed for COVID-19, is the LEA required to enroll and/or withdrawal the student?**

Yes. Though school buildings are currently closed, LEAs should still process enrollments and withdrawals at this time. LEAs should continue to provide the essential service to ensure students are enrolled correctly for the remainder of this school year and next.



## Are schools required to provide student records to DCS if they are closed due to COVID-19 concerns?

Yes. Schools must create a way to provide necessary school records to DCS upon request. Foster Care points of contact should be available to assist with records requests if building level personnel are not working. These records are used for transfers to other LEAs, court hearings, and foster care review boards. LEAs may only be able to provide electronic records at this time, and at a minimum, should ensure that schedule, grades, transcripts, special education records, and discipline records are available.



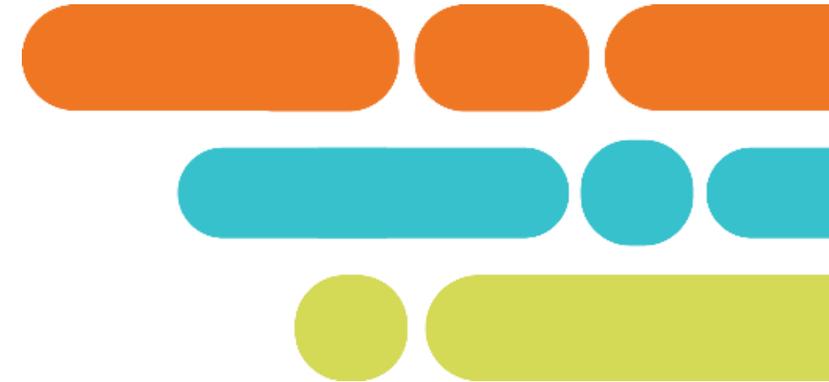
# Emergency SBE Rules Guidance Documents



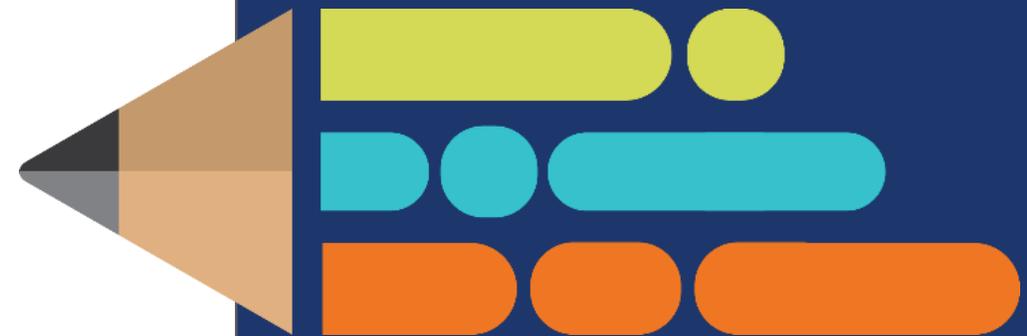
# Department Guidance Documents Regarding Emergency SBE Rules

Available on the department's COVID-19 webpage:

- [Teacher Licensure](#) - Covers:
  - Clinical Practice Flexibility
  - License Validity Period – Extension
  - One Year Provisional Licenses
  - Out-of-State applicants for initial Tennessee teacher licensure
- [Teacher Evaluation](#) - Guidance on evaluation-related processes
- [Special Education](#) - Guidelines on student's initial evaluation

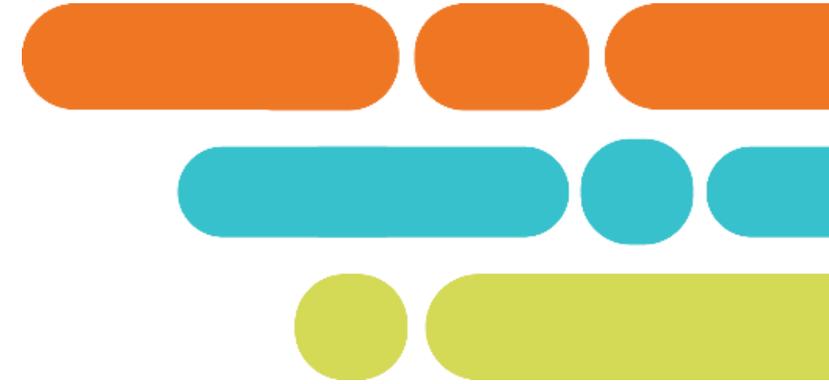


# Your Questions



# Is there anything in writing that addresses a possible plan for students returning to the school buildings?

The department is currently preparing plans for reopening schools, especially in terms of social distancing, as well as lesson plans for getting students caught up in their new grade. The Monday, Wednesday, Friday calls with district superintendents are starting to cover planning for next school year, specifically, “What will reopening look like?” You are welcome to listen in to those calls. You should be receiving invitations to those calls already.



**We have reached out to all of our schools' LEAs to let them know that we want to participate in the Ed Stabilization Funds and Governor's Relief Fund. Would you advise that we do anything else at this time?**

No, not at this time. We just received new guidance on this that we are currently working through. You'll receive further information early next week.



**I'd love to know about the ESA Deadline extension decision (I'm hoping it will be further extended past May 7).**

As of this moment, the ESA application deadline has not been extended past May 7, but we will let you know if that changes as soon as possible.



**I'd also like clarity about whether the no-harm grading rule applies to nonpublics. The way the rule is written suggests that it should not. Has final clarity been provided about that?**

The no-harm grading rule doesn't apply to nonpublics, except for Category I nonpublic schools that must meet the same requirements as LEAs.



**I am concerned that the CARES Act intent to participate form from my LEA seemed to indicate only schools with Title I students will receive funds. The funds will be based on the amount of those students enrolled. Is this correct?**

We have very recently received new guidance on these issues, and are working through it. You will receive the updated information early next week.



# Do the guidelines from the mayors of the 6 cities supersede the published guidelines on the DOE website?

Unless expressly stated, an executive order from the Governor supersedes any local law, order, rule, or regulation. In the case of executive orders [29](#) and [30](#), counties that maintain a locally governed health department (Davidson, Hamilton, Knox, Madison, Shelby, and Sullivan) are expressly authorized to maintain local laws, orders, rules, or regulations that contradict that specific executive order(s).

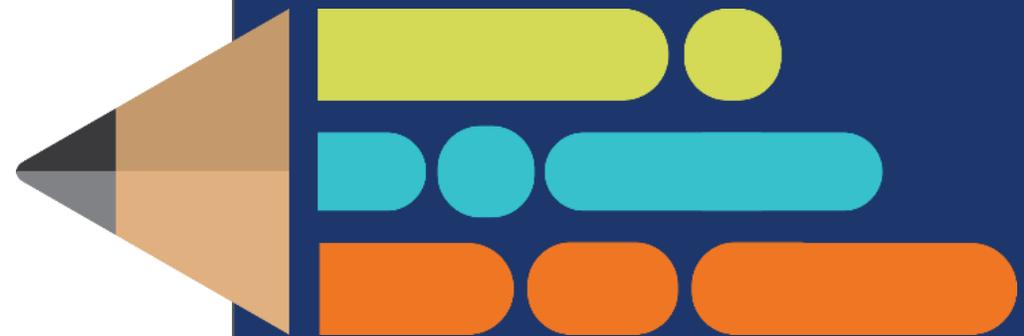


# Any potential for summer day camps to be included as essential as parents go back to work?

Yes, summer day camps that are operated by nonpublic schools can occur as long as your local health department is consulted for safety guidelines.



# Resources



# Resources:

- [Tennessee Department of Education COVID-19 Guidance & Resources](#)
- [CDC Guidance for Correctional and Detention Facilities](#)
- [NDTAC Guidance](#)
- [National Council for Behavioral Health](#)
- [Special Education Related FAQ](#)
- [School Closure Toolkit for Districts: Special Populations](#)
- [Guidance on School and District Accountability](#)
- [PBS Teaching Tennessee](#)
- [ReadyRosie](#)
- [STEAM Resources for At-Home Learning](#)
- [SBE Covid-19 Emergency Rules](#)
- [SBE Amended Rules for Nonpublic Schools](#)



# Thank you, nonpublic school leaders, for continuing to care for and educate Tennessee's students.

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