



## Governors' Emergency Education Relief Fund

### Executive Summary

The Coronavirus Aid, Relief, and Economic Security (CARES) Act includes the Governor's Emergency Education Relief (GEER) Fund -- \$3 billion in direct, flexible education funding for governors to provide to school districts, higher education, early childhood education and other education entities. Each governor has discretion to allocate each dollar of their funding based on their evaluation of the greatest educational needs in their state related to COVID-19.

### Education Funds in the CARES Act

The Education Stabilization Fund in the CARES Act provides funding to states to address K-12 and higher education needs during the COVID-19 crisis. The CARES Act distributes this funding through an Education Stabilization Fund of \$30.75 billion, including:

- a GEER Fund of approximately **\$3 billion** that will be disbursed directly to governors; Funds are awarded by formula to governors.
- an Elementary and Secondary School Emergency Relief Fund of approximately **\$13.5 billion** that will be disbursed directly to state education agencies; and
- a Higher Education Emergency Relief Fund of approximately **\$13.9 billion** that will be disbursed directly to institutions.

### Direction from Congress for Governors' Emergency Education Relief Fund

Flexible funds, at the discretion of the governors, can be utilized to provide emergency support through:

- grants to local educational agencies;
- institutions of higher education;
- other education-related entities deemed essential for carrying out emergency education services;
- any purpose under most federal education legislation; and/or
- the provision of child care and early childhood education, social and emotional support, and the protection of education-related jobs.

### Official GEER Resources for States:

- [State-By-State Formula Allocations for GEER](#)
- [Letter to Governors from Secretary DeVos](#)
- [Notice of GEER Funds with Guidance](#)
- [Governor Application for GEER Funds](#)

### Process for Governors to Receive Funding

The U.S. Department of Education has issued guidance for the distribution of GEER funds available on the ED.gov website [here](#). The application process for GEER funds includes the completion of a brief Certification and Agreement, which can be digitally signed by the governor (or authorized representative of the governor) and submitted in PDF to [GEERF@ed.gov](mailto:GEERF@ed.gov). The Department indicates that funds will be disbursed to governors within 3 days of receiving an application.

### Deadlines

The certification and agreement must be submitted is no later than June 1, 2020. Funds will remain available for obligation through September 30, 2022. Governors must award funds to eligible entities (i.e., LEAs, IHEs, and education related entities) within one year of receiving the State's GEER Fund allocation from the U.S. Department of Education.

### Governors' Authority

Section 18002(a) of the CARES Act clearly states that GEER funds are provided to the governor and the grant notice states that only governors (and the mayor of the District of Columbia) are eligible to receive this funding. According to a U.S. Department of Education letter to governors on April 14, 2020, this "flexible emergency block grant empowers you [the Governor] to decide how best to meet the current needs of students, schools (including charter schools and non-public schools), postsecondary institutions, and other education-related organizations in your State..."

### Use for Statewide Education Response to COVID-19

In addition to grants to local education agencies and institutions of higher education, "a governor may also award funds to education related entity within the State that the governor deems essential to carry out emergency educational services to students, provide childcare and early childhood education, provide social and emotional support, and protect education-related jobs." The CARES Act and guidance does not prohibit a governor from classifying a state entity – such as an agency, board or commission – as eligible to receive funds to carry out statewide emergency education activities.

### **Maintenance of Effort Requirement**

In order to receive GEER funds, the CARES Act requires that states demonstrate a Maintenance of Effort (MOE) of spending on K-12 and higher education in fiscal year 2020 and fiscal year 2021 that is equal to the average level of spending on the preceding three fiscal years. Section 18008(b) provides authority to the Secretary of Education to waive this MOE "for the purpose of relieving fiscal burdens on States that have experienced a precipitous decline in financial resources."

Given that a precipitous decline in state revenues has already begun due to social distancing and stay at home orders to combat COVID-19, NGA will work with the U.S. Department of Education to ensure a streamlined process for qualifying for these waivers. NGA will also work with Congress to alleviate the burden of this maintenance of effort requirement.

### **Reporting on Funding**

States must submit an initial GEER report to the U.S. Department of Education within 45 days of receiving funds. The initial reporting requirements include the criteria used by states to determine which grantees were most impacted by COVID and essential for carrying out educational services. Notably, any GEER funds allocated to administrators/executives at IHEs, SEAs, or educational related entities will be subject to extra scrutiny from ED.

Governors are also encouraged to share entities and needs funded by the Governor's Emergency Education Relief Fund with the National Governors Association to provide best practices for all governors and more effective advocacy for future federal aid to respond to COVID-19.

### **Swift Distribution of Funding & Public Transparency**

In preparation for distributing funds, governors can look to structures that worked when they received American Recovery and Reinvestment Act (ARRA) funding. Some key takeaways from that process include:

- Creating a set of strategic goals for utilizing the stimulus funding developed in conjunction with the governor's office, relevant departments, and informed by regional workforce demand and state priorities.
- Preparing a cross-agency governance structure for receipt and distribution of funds. Be sure these structures are nimble and responsive.

- Developing accountability structures from the beginning and be clear across agencies about expectations and requirements.
- Using data to ensure program effectiveness and to identify potential fraud, waste, and abuse.
- Creating a transparent, public website to share information and provide regular updates.

### **Online Education Permitted, But Not Required**

Online education and remote learning is a permissible use for GEER funds and is emphasized in all GEER guidance and in the GEER application by the U.S. Department of Education, but governors are not required by Congress or federal guidance to expend GEER funds on online education. The CARES Act does not emphasize online education or remote learning in the purpose or uses of the GEER fund.

### **Best Practices to Assist Pre-K-12 Education**

Coordinate with key state Pre-K-12 officials, including state education agencies, state legislators and state boards of education, to:

- Develop a cohesive plan for addressing continuity of learning and instruction during Pre-K-12 school closure.
- Provide guidance for school districts and schools to develop and implement distance learning plans for their students.
- Ensure student access (including students with disabilities) to educational materials through multiple technology and non-technological delivery models (e.g. internet, electronic devices, handouts and packets of materials).
- Ensure student, family, and educator access to technology, including working with community partners to identify internet hotspots and provide internet access and/or devices for teaching and learning.
- Tailor support, services, and strategies to meet the unique and individual needs of students with disabilities, English Learners, students experiencing homelessness, tribal communities, migrant students, children in foster care, and other students in need of accommodations.
- Utilize school counselors, school psychologists, school social workers and community partnerships to meet and support the physical, mental and behavioral health, and social-emotional well-being of students.
- Develop plans to hold Pre-k recruitment activities in the summer months.

- Consider providing summer school-based pre-kindergarten programs
- Ensure coordinated efforts between school districts and public health departments, including efforts to sanitize schools and develop preparedness plans.

**Best Practices to Assist Higher Education**

Coordinate with key state higher education officials and institutions of higher education to address:

- losses in tuition and fee revenue;
- losses in campus auxiliary revenue (room refunds, refunds of dining fees, lost parking revenue, cancelled events, etc.);
- increases in costs due to the transition to online instruction (costs to move employees to remote access, consultants, purchase of laptops, webcams, etc.);
- decreases in research, endowment and philanthropic revenue;
- increases in health, safety, cleaning and sanitation costs;
- declines in enrollment due to a precipitous decline in family resources; and
- at-risk student populations, including homeless and food-insecure students, typically met by on-campus services;

**Best Practices to Assist Child Care and Early Childhood Education**

Coordinate with key state early childhood officials, including Child Care Resource and Referral Agencies, child care administrators, state early learning directors, IDEA Part C Coordinators, and state legislators (and consider establishing a point person in the governor’s office to coordinate early care and education response) to:

- Establish guidance and best practices for provision of emergency care and develop comprehensive plans for reopening child care programs.
- Provide adequate compensation for child care providers, including higher level compensation for those providing emergency care given their higher risk for contracting the virus.
- Cover costs of children of essential frontline workers who are in subsidized emergency child care, regardless of income, during both COVID-19 crisis and recovery periods.
- Support the sanitization of child care facilities on an ongoing basis for emergency care and in preparation for reopening of child care programs.

- Provide access to supplies and equipment to child care and early childhood education programs to ensure safe, continued education and protect the workforce.
- Ensure infants and toddlers with disabilities receive access to services through tele-intervention, distance learning technology or non-technological delivery methods (e.g., phone calls, print materials, etc).

**Resources to Help Guide Assistance to Vulnerable Students During COVID-19:**

- [Addressing Early Childhood and K-12 Education Equity with CARES Act Funding](#) (Learning Policy Institute)
- [Supporting Higher Education Student Needs During COVID-19](#) (The Hunt Institute)
- [State Leader Education Equity Recommendations for CARES Act Funding](#) (The Education Trust)
- [How to Serve Students with Disabilities During the COVID-19 Crisis](#) (National Center for Learning Disabilities)
- [Partnering with Teacher Preparation Programs to Serve Special Education Students During COVID-19](#) (American Association of Colleges of Teacher Education)
- [Emerging Strategies & Tactics For Meal Service During School Closures Related To The Coronavirus](#) (Share Our Strength)
- [Covid-19 Resources for Students with Disabilities](#) (National Center for Special Education in Charter Schools)
- [Tele-Intervention and other Supports for Infants and Toddlers with Disabilities](#) (Early Childhood Technical Assistance Center)

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