



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12234

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TO: BOCES District Superintendents
School District Superintendents
School District Business Officers
Charter School Leaders
Religious and Independent School Leaders

FROM: Phyllis D. Morris, Chief Financial Officer

RE: Federal Coronavirus Aid, Relief, and Economic Security (CARES) Act Funding – Allocations and Instructions for Eligible Local Educational Agencies (LEAs) on Applying for Elementary and Secondary School Emergency Relief Funds (ESSER) and Governor’s Emergency Education Relief Funds (GEER)

As a follow-up to my [April 30, 2020](#), [June 9, 2020](#) and [July 7, 2020](#) memoranda providing information on the federal Education Stabilization Fund funding allocated to New York State under the CARES Act, this memorandum provides allocations and instructions for eligible LEAs on applying to the New York State Education Department (NYSED) for GEER and ESSER funds.

Application Process, Application Deadline and Guidance: Eligible LEAs are asked to submit a single *CARES Act Combined Funding Application* for both ESSER and, if applicable, GEER, funding using the [SED Monitoring and Vendor Reporting System](#). Completed applications are due by August 15, 2020 (with extensions by request) and will be reviewed on a rolling basis. Guidance on both GEER and ESSER funds and answers to frequently asked questions may be found in Attachment I.

Governor’s Emergency Education Relief Funds: New York State has been allocated \$164.2 million in GEER funding. Pursuant to the direction of the Governor’s Office and the Division of the Budget, GEER funding has been allocated to the State’s 673 major school districts. GEER funds are not being allocated to LEAs that are charter schools, Special Act School Districts, or school districts employing fewer than eight teachers. These funds have been allocated to eligible school districts using the relative shares of grants awarded under Title I, Part A of the ESEA for the most recent fiscal year (2019-20). Each eligible school district’s GEER allocation may be found in Attachment II.

Elementary and Secondary School Emergency Relief Funds: New York State has been allocated \$1.037 billion in ESSER funding. ESSER funding is being allocated to all LEAs that received 2019-20 Title I, Part A subgrants, including charter schools, Special Act School Districts and school districts employing fewer than eight teachers. Pursuant to the terms of the CARES Act, LEA allocations were calculated using the relative shares of grants awarded under Title I, Part A of the Elementary and Secondary Education Act (ESEA) for the most recent fiscal year (2019-20). Each eligible LEA’s ESSER allocation may be found in Attachment II.

Provision of Equitable Services to Non-Public Schools: As noted in my [July 7, 2020](#) memorandum, on July 1, 2020, the U.S. Department of Education (USDE) published in the Federal Register an [Interim Final Rule \(IFR\)](#) which outlines how LEAs are to calculate the amount of

ESSER and GEER funds available for providing equitable services to students and teachers in non-public schools. The IFR was effective immediately upon publication, and NYSED intends to comply with the IFR.

The IFR provides two options for LEAs to choose from as they move forward with the implementation of CARES Act (ESSER and GEER) funding:

1. Proportional: Under the IFR, if an LEA chooses to use CARES Act funding for students in all its public schools, it must calculate the funds for equitable services based on the proportionate number of students enrolled in private schools in the district.
2. Low-Income: If an LEA chooses to use CARES Act funding only for students in its Title I schools, it has two options:
 - a) Calculate the funds for equitable services based on the total number of low-income students in Title I and participating private schools; or
 - b) Calculate the funds for equitable services using the LEA's Title I, Part A share from the 2019-2020 school year.

Under the IFR, LEAs are required to equitably share GEER and ESSER funds for services with in-district non-public schools, even if the non-public school has not previously participated under Title I, Part A or Title VIII of the ESEA.

Control of funds for services and assistance provided to non-public school students and teachers under the CARES Act programs, and title to materials, equipment and property purchased with such funds, must be in a public agency, and a public agency must administer such funds, materials, equipment, and property. No funds may go directly to a non-public school, even for reimbursement purposes. LEAs must submit a completed *CARES Act: Written Affirmation of LEA Consultation with Private School Officials* form with their *CARES Act Combined Funding Application* (see Attachment III).

Thank you for everything you are doing for your students in these unprecedented circumstances. Please direct questions to the Office of ESSA-Funded Programs at (518) 473-0295 or via e-mail at CARESAct@nysed.gov.

Attachments

cc: Shannon Tahoe
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