



## **FEDERAL NEWS FOR NEW YORK'S RURAL SCHOOLS**

Folks, given the frequency with which the federal government has inserted itself into school funding (and the rate at which they hopefully will do it in the near future, to offset the lack of state revenue) your RSA works hard at federal advocacy. Here is an easy to follow outline of the major federal programs effecting us, including the recently enacted federal budget, the president's budget proposal and the three stimulus bills related to COVID-19's impact on our schools:

### **FEDERAL BUDGET FOR FISCAL YEAR 2020 (FOR THE 20/21 SCHOOL YEAR)**

- Two-year budget deal in August to lift the sequester caps for FY20 and FY21.
- In December, the President signed FY20 funding bill which provided \$1.4 trillion in funding for FY20.
- Specific to education, the bill provides \$40.1 billion for K-12 education programs which is an increase of \$1.2 billion above the 2019 enacted level and \$5.9 billion above the President's budget request.
- This is the third largest increase for education since Fiscal Year 2011 (the year that education funding started being cut or frozen).
- The bill rejects the cuts to programs proposed by the Trump Administration as well as rejecting their efforts to further advance their privatization agenda.

### **FUNDING LEVELS FOR KEY FEDERAL K-12 PROGRAMS**

- ESSA Title I: \$450m increase to \$16.3b
- ESSA Title II: \$76m increase to 2.1b (first increase in 6 years)
- ESSA Title III: \$50m increase to \$787 (first increase in 5 years)
- ESSA Title IV: \$40 m increase to \$1.2b
- IDEA State Grants (Part B): \$417m increase to \$13.9b (3% increase)
- Impact Aid: \$40m increase, to \$1.4b
- 21st Century Community Learning Centers: \$28 m increase, to \$1.2b
- REAP: \$5m increase to \$186m
- Career and Technical Education State Grants: \$20m increase to \$1.28b
- Homeless Youth/Children: \$8m increase to \$105m
- School Safety National Activities: \$10m increase to \$105m
- Head Start: \$550m increase to \$10.6b
- Child Care and Development Block Grant (CCDBG): \$550m increase to \$5.8b

### **OTHER FEDERAL PROGRAMS OUTSIDE THE EDUCATION BUDGET**

- STOP School Violence Act Grants: \$25m increase to \$125m.

- Secure Rural Schools/Forest Counties: The bill reauthorizes and provides two years of funding for the SRS program for Fiscal Year 2019 and 2020 (FY19 and FY20.)
- Raises the age for purchasing tobacco products including e-cigarettes to 21 from 18.
- Provides \$12.5m in funding for researching gun violence prevention.
- Adequately funds the Census to ensure it can be properly administered.
- Contains policy language instructing CMS and USDOE to work together to reduce administrative barriers for providing health services in coordination with schools and provide technical assistance to assist with billing and payment administration for Medicaid services in schools.
- Repeals the Cadillac Tax from the Affordable Care Act.

## **TRUMP ADMINISTRATION FISCAL YEAR 2021 BUDGET PROPOSAL**

- Continued prioritization of privatization and underinvestment in students and schools.
- Cuts USED by nearly 8%, in part by consolidating 29 ESSA programs into one block grant.
- Block grant total is \$4.7b below current funding levels of consolidated programs.
  - Does include increases to IDEA (\$100 m) and CTE (\$700 m).
- Includes \$5 b for tuition tax credit/vouchers.
- Significant cut to higher education grants/loans.
- Fortunately this proposal is “dead on arrival” according to Congressional leaders. Similar programs have been rejected in prior years.

## **H.R.6074 -CORONAVIRUS PREPAREDNESS AND RESPONSE SUPPLEMENTAL APPROPRIATIONS ACT (The first stimulus legislative package)**

- **Background: H.R.6074** –the Coronavirus Preparedness and Response Supplemental Appropriations Act –was signed into law on March 6, 2020. Specifically, the bipartisan measure provided \$8.3 billion in emergency aid to the Dept. of Health and Human Services, State, and Centers for Disease Control to fund the following activities:
  - Developing, manufacturing, and procuring vaccines and other medical supplies;
  - Grants for state, local, and tribal public health agencies and organizations; and
  - Loans for affected small businesses;
- **Takeaway:** Although this bill was far from the largest measure to come out of Congress this month, the act does represent a turning point in when the federal government began seriously responding to this issue.

## **H.R.6201 - FAMILIES FIRST CORONAVIRUS RESPONSE ACT (The second piece of stimulus legislation.)**

**Background: H.R.6074** –the Families First Coronavirus Response Act –was signed into law on March 18, 2020. The bill passed with strong bipartisan support and assists state and local agencies by promoting food security for low-income individuals, giving paid leave to some

workers, increasing funding for unemployment insurance, and establishing free testing for COVID-19.

- **Nutrition:** The bill gives the U.S. Department of Agriculture (USDA) authority to issue nationwide waivers that (1) can increase programmatic costs; (2) allow districts to forgo meal pattern feeding requirements; (3) permit non-congregate feeding sites; and (4) temporarily waive accountability/reporting requirements associated the federal school meal programs.
- **Unemployment:** Under the law, school employees would be entitled to an initial 10 days of unpaid sick leave if they are impacted by the coronavirus. This would be followed by paid leave equal to at least two-thirds of their normal pay. There are caps on the paid leave of \$200 per day and \$10,000 in the aggregate.

### **S.3548 -CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY (CARES) ACT (The most recent stimulus legislation.)**

**Background: H.R.6074** –Coronavirus Aid, Relief, and Economic Security (CARES) Act –was signed into law on March 27, 2020. The \$2 trillion package was passed with bipartisan support and earmarks \$13.5 billion for K-12 schools, \$14.25 billion for higher education, and \$3 billion for governors to use at their discretion to assist K-12 and higher education institutions as they deal with the fallout from the virus. Furthermore, the bill requires that local school districts "shall to the greatest extent practicable," continue to pay employees and contractors during the period of disruptions or closures related to coronavirus.

#### **SCHOOL RELATED ASSISTANCE:**

- \$15.5 billion for the Supplemental Nutritional Assistance Program;
- \$8.8 billion for Child Nutrition Programs to help ensure students receive meals when school is not in session;
- \$3.5 billion for Child Care and Development Block Grants, which provide child-care subsidies to low-income families and can be used to augment state and local systems;
- \$750 million for Head Start early-education programs;
- \$100 million in Project SERV grants to help clean and disinfect schools, and provide support for mental health services and distance learning;
- \$69 million for schools funded by the Bureau of Indian Education; and
- \$5 million for health departments to provide guidance on cleaning and disinfecting schools and day-care facilities.

### **S.3548 -CORONAVIRUS AID, RELIEF AND ECONOMIC SECURITY (CARES) ACT**

#### **Good News**

- This package grants the U.S. Department of Education the authority to grant states waivers on accountability requirements including reporting indicators on state

accountability systems, as well as interim goals and long-term ESSA student achievement goals.

- Additionally, the CARES act requires that no schools would be added or removed from state school improvement lists. Moreover, LEA/SEAs (Local Education Agencies-school districts and State Education Agencies) can request waivers for the following activities:
  - ESSA requirement for states to maintain education spending in order to tap federal funds.
  - School wide Title I regardless of the percentage of low-income students in districts
  - Requirements governing Title IV Part A, which will allow schools to spend more than 15 percent of their Title IV money on digital devices; and
  - Waivers on ESSA's definition of professional development.

### **Bad News**

- **State Funding Shell Game:** Brace yourselves. The act includes language that would enable states to apply for a waiver for their maintenance of effort compliance. Meaning that while the federal funds would roll to the local level, they wouldn't feel like relief because the state would be able to make cuts in state funding. If you're a "glass half full" person, the state was primed to cut funding anyway and this can help fill that shortfall.
- **Funding for Internet Access:** The proposal also misses the mark for delivering online curriculum and instruction. Although the CARES Act makes tele connectivity an allowable use of the broader fund, it fails to direct increased funding through the existing E-rate program. RSA has concerns that creating a new program to deliver this service will delay critical services on the local level and exacerbate the rural school homework gap.

### **USDA SCHOOL NUTRITION WAIVERS**

#### **NREAC's Advocacy at USDA is Paying Off**

This March, RSA joined with other organizations to request that USDA issue additional nationwide waivers to ensure access to meals during the COVID-19 pandemic and ease the administrative burden on school districts and state child nutrition agencies. As of now, this effort has resulted in USDA offering the following:

1. Congregate Meal Waivers
2. Nationwide Meal Times Waiver;
3. Nationwide Non-congregate Feeding Waiver;
4. Nationwide Afterschool Activity Waiver;
5. Nationwide Meal Pattern Waiver;
6. Nationwide Parent/Guardian Meal Pickup Waiver;
7. Nationwide Community Eligibility Provision (CEP) Data Waiver; and

**Next Steps:** RSA plans to continue advocating for additional flexibilities and significant resources to our rural schools as they serve students impacted by COVID-19.