

Flexibilities for Current Federal Education Funding Related to COVID-19

West Virginia has received a waiver for flexibility in the use of funds and other requirements covered under the Elementary and Secondary Education Act of 1965 (ESEA), including the Title I, Parts A-D; Title II; Title III, Part A; Title IV, Parts A-B; and Title V programs. Specifically, the waiver includes:

- » Section 1127(b) of Title I, Part A of the ESEA to waive the 15% carryover limitation for Title I, Part A funds;
- » Section 421(b) of the General Education Provisions Act (GEPA) to extend the period of availability of prior fiscal year funds, for Title I, Parts A-D, Title II, Title III, Part A, Title IV, Parts A-B, and Title V, Part B programs, and the McKinney-Vento Homeless Children and Youth program;
- » Section 4106(d) of Title IV, Part A of the ESEA to waive a needs assessment to justify the use of funds;
- » Section 4106(e)(2)(C), (D), and (E) of Title IV, Part A of the ESEA to waive content-specific spending requirements;
- » Section 4109(b) of Title IV, Part A of the ESEA to waive spending restrictions on technology infrastructure; and
- » Section 8101(42) of the ESEA to waive the definition of “professional development,” which might otherwise limit the ability to quickly train school leaders and teachers on topics like effective distance learning techniques.

This action follows the prior U.S. Department of Education approval to cancel federally-mandated standardized testing.



Coronavirus Aid, Relief, and Economic Security Act: CARES Act

Governors Education Emergency Relief (GEER) Funding: West Virginia received \$16.5 Million

The Governor may allocate funding to:

1. Local Education Agencies (LEAs),
2. Institutions of Higher Education (IHEs), and/or
3. Other education related agencies deemed essential to continuity of education

The purpose of these funds is to support agencies and entities charged with continuity of educational services in response to the COVID-19 pandemic. At this time, the Governor has not determined how the funds will be allocated. The WVDE and the HEPC are unified in support for efforts to improve internet access which will benefit K-12 and higher education students from both public and private institutions.

Elementary and Secondary Schools Emergency Relief (ESSER) Funding: West Virginia received \$86,640,471

The WVDE will allocate \$77,976,424 (90%) of the funding to LEAs (see preliminary allocation schedule).

LEAs may use the funds for:

- » Any activity authorized by ESEA, the Individuals with Disabilities Education Act, the Adult Education and Family Literacy Act, the McKinney Vento Homeless Youth Act and the Perkins Act;
- » Providing resources necessary to address the needs of individual schools, including online learning;
- » Purchasing educational technology for students, including one-to-one devices and internet connectivity;
- » Providing mental health services and supports;
- » Planning and implementing summer learning and supplemental afterschool programs;
- » Activities to address the needs of low-income students, students with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness and foster care youth;
- » Planning and coordinating student meal services;
- » Developing and implementing procedures to improve virus emergency preparedness and response efforts;
- » Training staff on sanitation and minimizing the spread of infectious disease;
- » Purchasing sanitation and cleaning supplies;
- » Planning for and coordinating during long-term closures;
- » Other activities necessary to maintain the operation of and continuity of services and continuing to employ existing staff; and/or
- » Working with partner organizations and nonprofits to address community needs.

The WVDE will utilize the remaining \$8,664,047 (10%) to coordinate with the Governor and other state agencies to improve internet access for underserved geographical areas of the state as lack of internet access has been identified as the most significant barrier to effectively implementing remote learning plans for all students.