

CARES Act

Governor's Emergency Education Relief (GEER) Fund

Guidance for

Acceleration Academies



Kathy Hoffman

Arizona Superintendent of Public Instruction

December 2020



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For questions on the **FY21 Acceleration Academies Grant**, please reach out to the Arizona Department of Education (ADE) by emailing:
melissa.castillo@azed.gov
sean.ross@azed.gov

For **general questions** on the CARES Act, please reach out by emailing:
Questions@azed.gov



Arizona Department of Education
Office of the State Superintendent

Dear School Leaders,

The 2019-2020 school year presented our education community with unprecedented challenges. Yet, despite these challenges, our schools and educators did an amazing job finding creative ways to support students and families. While there are still many unknowns about the future of this virus and its impact on our state, the Arizona Department of Education (ADE) remains committed to providing the field with as much guidance, support, and clarity as possible.

To continue to support schools, ADE's framework for the Elementary and Secondary School Emergency Relief (ESSER) Fund provides a comprehensive and equitable approach to support Arizona's students, families, teachers and schools that have been impacted by COVID-19.

We will continue to collaborate closely with the Governor's Office, state, regional and local partners, and initiatives to further support statewide relief and recovery efforts. Our primary areas of focus include support for re-opening schools, online and remote learning opportunities and infrastructure, mental health and social wellness supports and resources for addressing student learning gaps.

These focus areas will be addressed through three distinct phases of time (**Relief, Preparation and Prevention** and **Recovery**) needed for overall recovery and stabilization, and these areas of focus and phases align with guidance to LEAs on frameworks and activities for their consideration in how they can leverage these federal recovery funds to address the unique needs of their school communities.

Thank you again for all you are doing to support your students, staff and community through this challenging time! The Arizona Department of Education is grateful for your continued leadership and care for our communities. We look forward to continuing to support you all through this recovery process.

Best,

A handwritten signature in black ink that reads "Kathy Hoffman".

Kathy Hoffman, MS, CCC-SLP
Superintendent of Public Instruction
Arizona Department of Education



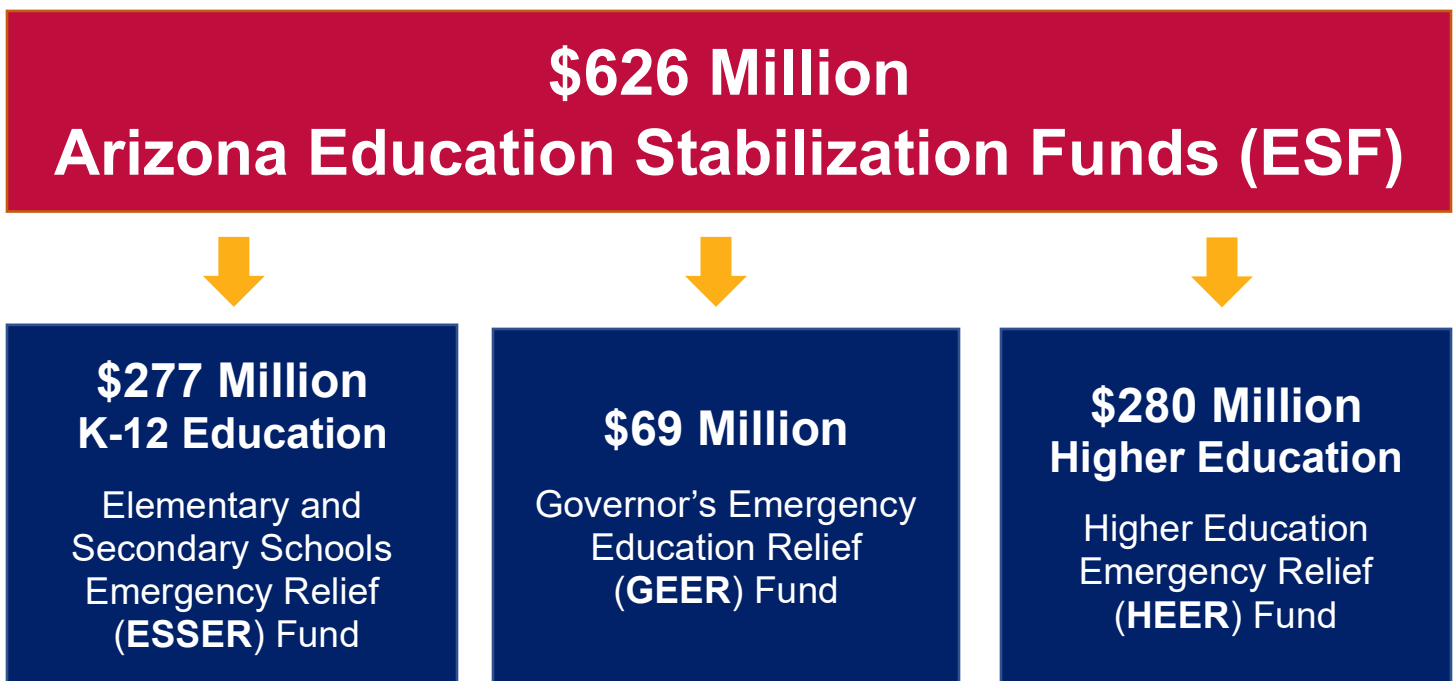
What is the CARES Act?

The **Coronavirus Aid, Relief and Economic Security (CARES) Act** is a \$2 trillion relief package that included \$180 billion to be distributed among two funds dedicated to State, Local, and Tribal governments

The **Education Stabilization Fund (ESF)** provides \$30.74 billion in dedicated funds to support education relief and recovery efforts, with:

- \$13.5 billion for K-12;
- \$14.2 billion for Higher Education; and,
- \$3 billion for Governors to further support a state’s most significantly impacted K-12 and Higher Education institutions.




Arizona is projected to receive **\$626 million** in **Education Stabilization Funds**:



The Arizona Department of Education (ADE) administers the ESSER Fund, and advises the Governor regarding the distribution of a portion of GEER Funds for the Acceleration Academies grant.

Phases to Recovery

ADE encourages a **three-phase approach** to plan to leverage CARES Act Funds to respond to state and local needs in relation to COVID-19:

| | | |
|--|--|--|
|  <p>Relief</p> |  <p>Preparation & Prevention</p> |  <p>Recovery</p> |
| <p>March 13 – May 30, 2020</p> <p>Meeting immediate needs and managing school closures and planning for summer school</p> | <p>June 1 – August 30, 2020</p> <p>Addressing and stabilizing disruption and preparing for safe school openings, as well as a future health disruptions</p> | <p>September 1, 2020 - September 30, 2021</p> <p>Managing on-going recovery needs of students and schools, and reimagining safe learning environments</p> |

A ***Roadmap for Reopening Schools***, developed through the efforts of a statewide stakeholders advisory group, was released **May 2020** with strategies and considerations to, in part, help inform LEA planning for the use of CARES funds across these phases



GEER LEA Assistance Funds for **FY21 Acceleration Academies**

What is the Acceleration Academies grant?

The FY21 Acceleration Academies grant was established by the Governor’s Office to help Arizona students most impacted by the COVID pandemic. The funding supports evidence-based Reading and Math interventions.

Who is eligible to apply?

LEAs with one or more of the 183 schools found eligible based on a formula to determine “most impacted” are invited to apply for these funds.

How are allocations determined?

Allocations were determined based on a formula to determine “most impacted” by COVID, including:

- Free and Reduced Lunch applications
- Not Proficient AzMERIT ELA and Math scores
- Unemployment claims in corresponding zip codes
- COVID cases in corresponding zip codes
- No access to computer in corresponding zip codes
- No access to internet in corresponding zip codes

How will eligible LEAs apply for grant funds?

Eligible LEAs will apply for GEER FY21 Acceleration Academies grant funds through completing an online application in the ADE Grants Management system at gme.azed.gov.

What Assurances will apply to LEAs that choose to apply?

LEAs must make the following assurances in order to receive GEER funds:

Assistance to Non-Public Schools

LEAs must provide equitable services in the same manner as required under Title I-A (ESEA Sec.1117). A **proportionate share** of funds to support equitable services must be calculated, and **timely and meaningful consultation** with non-public schools must be completed

Public Control of Funds

Just as required under Title I-A, LEAs must maintain control of all GEER Funds for services and assistance provided to non-public schools associated with the provision of equitable services

Continued Payment to Employees

LEAs shall, to the greatest extent practicable, continue to pay its employees and contractors during the period of any disruptions or closures related to coronavirus.

Are private schools eligible to apply for a grant?

No. Non-profit private schools are, however, eligible to receive equitable services through the Acceleration Academies grant from school district awardees, in the same manner as under Title I-A, as determined by timely and meaningful consultation. All students and teachers in private schools can



benefit from equitable services, and the potential scope of services would be limited to the scope of services allowable under the Acceleration Academies grant. For-profit private schools are not eligible to participate in equitable services.

How long will LEAs have to use these funds?

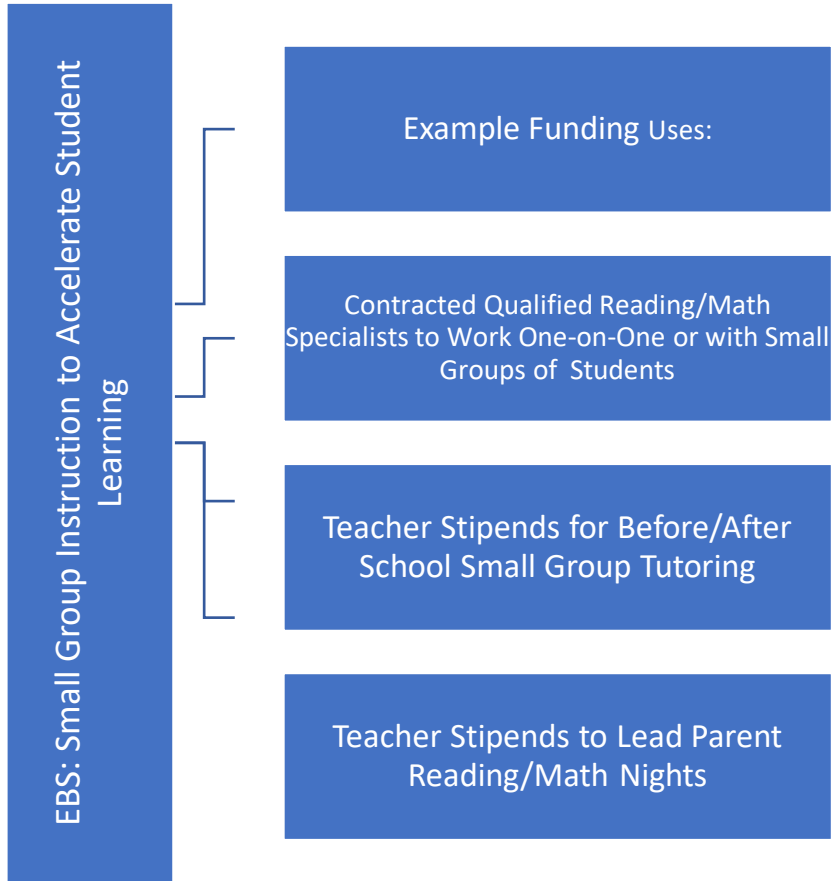
LEAs will complete an application in the Grants Management system with an initial project/budget term of **January 1, 2020 – September 30, 2021**. However, funds obligated by LEAs will remain available for continued obligation through carryover through **September 30, 2022**.

What can GEER Acceleration Academies grant funds be used for?

GEER Acceleration Academies grant funds can be used to fund evidence-based interventions for Reading and Math.

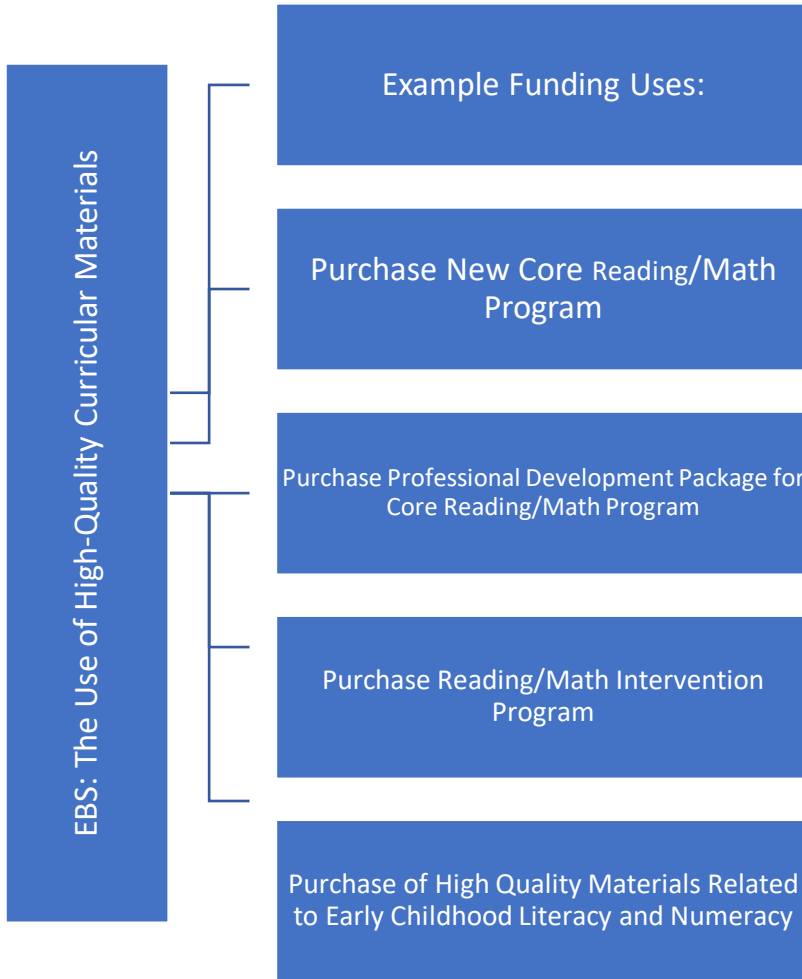
Examples of short-term interventions/supports include:

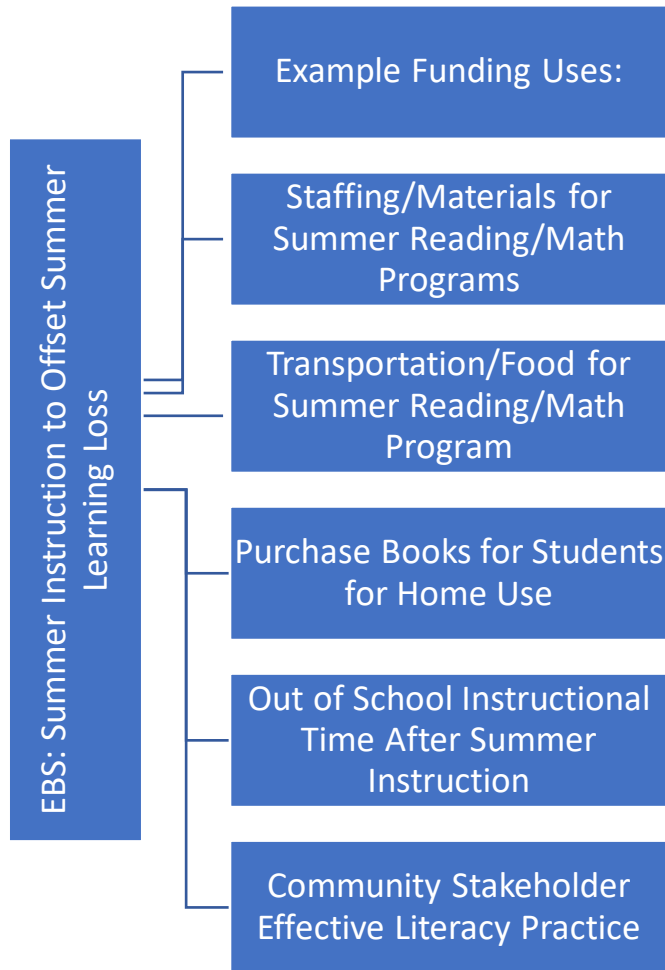






Examples of long-term interventions/support include:





What can GEER grant funds not be used for?

The following are *unallowable* uses of GEER Funds:

- CARES Act funds generally cannot be used for bonuses, merit pay, or similar expenditures, unless related to disruptions or closures resulting from COVID-19
- Subsidizing or offsetting executive salaries and benefits of individuals who are not employees of the SEA or LEAs
- Expenditures related to state or local teacher or faculty unions or associations
- Capital expenditures



Equitable Services

The CARES Act requires school districts (**these requirements do not apply to charter LEAs**) receiving GEER Funds to provide equitable services to non-profit private schools **in the same manner as provided under ESEA Section 1117 (Title I-A)**:

ASSISTANCE TO NON-PUBLIC SCHOOLS

SEC. 18005.

- (a) **IN GENERAL.** A local educational agency receiving funds under sections 18002 or 18003 of this title shall provide equitable services in the same manner as provided under section 1117 of the ESEA of 1965 to students and teachers in non-public schools, as determined in consultation with representatives of non-public schools.
- (b) **PUBLIC CONTROL OF FUNDS.** The control of funds for the services and assistance provided to a nonpublic school under subsection (a), and title to materials, equipment, and property purchased with such funds, shall be in a public agency, and a public agency shall administer such funds, materials, equipment, and property and shall provide such services (or may contract for the provision of such services with a public or private entity).

Who is required to provide equitable services?

School districts receiving GEER Fund LEA assistance grants are required to provide equitable services to non-profit private schools in the same manner as provided under ESEA Section 1117 (Title I-A). Just as under ESSA programs, Charter LEAs, and other non-traditional district LEAs, are not required to provide equitable services.

How do you determine if a private school is eligible for equitable services?

A private school is eligible to choose to participate in GEER Fund equitable services if they are currently eligible to participate in Title I-A equitable services from a school district.

Note, private schools that may have declined to participate in equitable services under Title I-A (and ESSER) may choose to now participate under the GEER Fund. Districts cannot only choose to reach out to private schools that have already chosen to participate in equitable services for other FY20 or FY21 ESSA programs, such as Title I or Title II. There may be private schools that will only choose to participate in GEER Fund equitable services.

The *FY21 Affirmation of Timely/Meaningful Ongoing Consultation and Equitable Services* for the GEER Fund is included in the Appendix. This form must be completed for all eligible private schools for a district, just as required under Title I-A, and must be uploaded to the Grants Management system as a required document as part of the LEA grant application process. Affirmation of Consultations for private school equitable services must be completed and submitted for LEA GEER Fund grant applications to be approved.

Districts must make a minimum of three documented good-faith efforts to determine the participation status of a private school. If a private school has not responded after three documented good-faith efforts, then they may be reported by the district as a non-participating private school.



Do private schools need to have participated in FY20 Title I equitable services to be considered eligible for GEER Fund equitable services?

No. All private schools eligible to participate in Title I equitable services in FY21 may choose to participate in GEER Fund equitable services.

Who is eligible to receive equitable services?

All students and teachers in a participating non-profit private school are eligible to receive equitable services under the GEER Fund.

What types of services are private schools eligible to receive?

Participating eligible private schools may participate in any services aligned with any GEER Acceleration Academies grant allowable activity, as determined through **timely and meaningful consultation**. Please see: *What can GEER Acceleration Academies grant funds be used for?*

How is the scope of equitable services that a private school can receive determined? Is consultation required?

School districts receiving ESSER and/or GEER Funds are required to engage in **timely and meaningful consultation** non-profit private schools, just as required under Title I-A. The expected outcome of this consultation is the determination of the scope and delivery of equitable services to be provided by the district.

The ADE **Ombudsman** for equitable services (PrivateSchoolsOmbud@azed.gov) is available as a resource, as needed, throughout the process of determining and delivering equitable services under the ESSER Fund, in the same manner as provided under Title I-A. Additional resources and support materials may be found on the ADE website for [Private School Equitable Services](#).

What are the requirements for equitable services?

LEAs must make the following assurances in order to receive GEER Fund grants:

Assistance to Non-Public Schools

LEAs must provide equitable services in the same manner as required under Title I-A (ESEA Sec.1117). A **proportionate share** of funds to support equitable services must be calculated, and **timely and meaningful consultation** with non-public schools must be completed

Public Control of Funds

Just as required under Title I-A, LEAs must maintain control of all GEER Funds for services and assistance provided to non-public schools associated with the provision of equitable services LEAs providing equitable services to non-public schools must:

- Maintain control of funds for the services and assistance provided to a non-public school under the GEER Fund
- Maintain title to materials, equipment, and property purchased with GEER funds
- Ensure that services to a non-public school with GEER funds will be provided by a public agency directly, or through contract with, another public or private entity

How is proportionate share determined?

A district determines the proportional share of GEER Funds available for equitable services as follows:

- Determine the LEA and Private Schools' proportionate share from the LEA's **FY20 Title I Proportionate Share Determination**. This excel file may be found in the FY20 ESEA Consolidation Application as a Title I Related Document
- Apply these proportions to the LEA's total GEER Fund grant program award to determine the amount of funds available for equitable services
- Reserve from this amount funds that are reasonable and necessary for the district to administer equitable services

How are Acceleration Academies participating private school budgets for equitable services determined?

A district determines the budget available for equitable services at each participating private school as follows:

- Determine the final cohort of **Acceleration Academies** participating private schools for GEER Fund equitable services
- Determine the total number of eligible Private School children from **low- income families residing in the LEA's Title I Attendance Zones** attending GEER Fund Participating Private Schools. These data will be available to FY21 Title I-A LEAs, as they were gathered as part of the annual Title I-A consultation process
- Determine final PPA for **Acceleration Academies** participating private schools:
Total Amount Available for Equitable Services – Amount Reserved for Administration /
Total Eligible Private School Students from Participating Private Schools
- Apply the final PPA to the total eligible private school student count for each participating private school to determine final budgets for equitable services for each participating private school



Example of Determining the Proportionate Share of GEER Fund Equitable Services

In this example, a district has received **\$1,000,000** in a GEER Fund grant award

The district has referred to their **FY20 ESEA Consolidated Application** under **Title I Related Documents** to review the district’s **FY20 Title I Proportionate Share Determination** (Excel file) to determine the proportions to use to determine the proportionate share of funds to reserve for GEER Fund equitable services.

Please note that these data may also be found in the LEA’s FY20 ESSER Fund application:

Step 1
EXAMPLE OF DETERMINING THE PROPORTIONATE SHARE OF GEER FUNDS FOR EQUITABLE SERVICES

**Data from FY20 ESEA Consolidated Application Related Document (Excel file):
 FY20 Title I Proportionate Share Determination*

| | LEA Proportionate Share* | Private Schools’ Proportionate Share* | Total |
|-------------------------------------|---------------------------------|--|--------------------|
| Proportion | 90% | 10% | 100% |
| Proportional Share GEER Fund | \$900,000 | \$100,000 | \$1,000,000 |

Step 2
EXAMPLE OF DETERMINING THE AMOUNT OF FUNDS RESERVED FOR DISTRICT ADMINISTRATION OF EQUITABLE SERVICES

| | |
|--|--|
| Total determined proportionate share for GEER Fund equitable services | \$100,000 |
| After consultation, the amount reserved that is reasonable and necessary for the district to administer GEER Fund equitable services | \$10,000 |
| Final amount available for GEER Fund equitable services | \$90,000 (\$100,000 - \$10,000) |

CARES Act – Education Stabilization Funds



The district has determined their final participating private school cohort of 3 schools after completing timely and meaningful consultation with all eligible private schools. These schools have a total of 150 eligible Private School children from low- income families residing in the LEA's Title I Attendance Zones.

The district has determined the final per-pupil amount (PPA) of \$600 by dividing the total final amount available for GEER Fund equitable services (\$90,000) by the final total eligible student count (150).

The district has applied their final PPA to the total eligible student count of each participating private school to determine the amount available to provide equitable services in each participating private school:

| Step 3 | | | |
|--|---|---|--|
| EXAMPLE OF DETERMINING THE AMOUNT OF FUNDS AVAILABLE FOR GEER FUND EQUITABLE SERVICES IN SPECIFIC PARTICIPATING PRIVATE SCHOOLS | | | |
| Private School | Total number of eligible Private School children from low- income families residing in the LEA's Title I Attendance Zones | Per-pupil amount (PPA) generated by each eligible private school student (\$90,000 / 150) | Amount available for GEER Fund equitable services in each private school (number of students x PPA) |
| A | 75 | \$600 | \$45,000 |
| B | 50 | \$600 | \$30,000 |
| C | 25 | \$600 | \$15,000 |
| TOTAL | 150 | \$600 | \$90,000 |

Please contact ESSER@azed.gov for additional questions regarding GEER equitable services requirements



Appendices

- **FY21 Affirmation of Timely/Meaningful Ongoing Consultation and Equitable Services**

- **CARES ACT: *GOVERNOR’S EMERGENCY EDUCATION RELIEF FUND***

FY21 Affirmation of Timely/Meaningful Ongoing Consultation and Equitable Services FY21 Acceleration Academies Grant

CARES Act Governor's Emergency Education Relief Fund (GEER) Fund (Section 18005)

Elementary and Secondary Education Act- P.L. 107 – 110 ~ SECTION 1117

Local Education Agency (LEA) _____
 LEA Federal Program Official _____
 LEA Federal Program Contact Phone: _____ Email: _____

Private School Name _____
 Private School Address _____
 In District *or* Out of District _____
 Private School Official _____
 Private School Contact Phone: _____ Email: _____

LEA Federal Program Official: Select what is applicable from the following statements. LEAs might check more than one.

- Check if LEA has students residing within the LEA and are providing services to students attending a private school **inside** LEA boundaries
- Check if LEA has students residing within the LEA but are providing services to students attending a private school **outside** of LEA boundaries
- Check if the private school has not responded to LEA's repeated, good-faith attempts (3) for consultation

Private School Official: Complete the following showing private school participation:

| LEA Providing ESSER Fund Equitable Services (Section 18005) | |
|--|-----------------------------|
| Yes <input type="checkbox"/> | No <input type="checkbox"/> |

Directions: Both school officials (private and public) must initial under either YES or NO for each statement below. Both School Officials will initial, sign, and date this document following the ongoing consultation AND the equitable services implementation. Comments may be made in the Comments section.

Upload to Related Documents under the Elementary and Secondary School Emergency Relief (ESSER) Fund Grant.

Part 1: Timely and Meaningful Consultation Affirmation – Initial and/or Ongoing Consultation

Note: *Affirmation of Consultations for private school equitable services must be completed and submitted for LEA ESSER Fund Grant applications to be approved*

| Official | Yes | No | Consultation Requirements (ESEA Section 1117, CARES Act Section 18005) |
|----------------|-----|----|---|
| Private School | | | Timely and meaningful consultation occurred regarding the needs and services of eligible children and their teachers and families. Consultation Dates: _____ |
| Public School | | | |
| Private School | | | The LEA gave due consideration to the views of the private school official. |
| Public School | | | |
| Private School | | | The program design/provision of services agreed upon by the LEA and private school is equitable. Date services are to begin: _____ |
| Public School | | | |

Signature of Public-School Official _____ Date: _____

Signature of Private School Official _____ Date: _____

Part 2: Equitable Provision of Services - (If equitable services were provided in FY21, the due date for Part 2 is upon submittal of FY21 Completion Report. Upload to CR Related Documents.)

| Official | Yes | No | Consultation Requirements (ESEA Section 1117, CARES Act Section 18005) |
|----------------|-----|----|--|
| Private School | | | Services began as agreed between the LEA and private school during consultation. Date services began: _____ |
| Public School | | | |
| Private School | | | The LEA gave due consideration to the views of the private school official during ongoing consultation. |
| Public School | | | |
| Private School | | | Satisfactory services were provided during the school year. |
| Public School | | | |

Signature of Public-School Official _____ Date: _____

Signature of Private School Official _____ Date: _____

Comments:

Education Stabilization Fund

\$30,750,000,000, to remain available **through September 30, 2021**, to prevent, prepare for, and respond to coronavirus, domestically or internationally

Governor's Emergency Education Relief Fund

\$2,953,230,000

Sec. 18002

https://www.appropriations.senate.gov/imo/media/doc/DIVB_EMSU.pdf

- (a) **GRANTS.** From funds reserved under section 18001(b)(1) of this title, the Secretary shall make Emergency Education Relief grants to the Governor of each State with an approved application. The Secretary shall issue a notice inviting applications not later than 30 days of enactment of this Act and shall approve or deny applications not later than 30 days after receipt.
- (b) **ALLOCATIONS.** The amount of each grant under subsection (a) shall be allocated by the Secretary to each State as follows:
- (1) 60 percent on the basis of their relative population of individuals aged 5 through 24.
 - (2) 40 percent on the basis of their relative number of children counted under section 1124(c) of the Elementary and Secondary Education Act of 1965 (referred to under this heading as "ESEA").
- (c) **USES OF FUNDS.** Grant funds awarded under subsection (b) may be used to:
- (1) provide emergency support through grants to local educational agencies that the State educational agency deems have been most significantly impacted by coronavirus to support the ability of such local educational agencies to continue to provide educational services to their students and to support the on-going functionality of the local educational agency;
 - (2) provide emergency support through grants to institutions of higher education serving students within the State that the Governor determines have been most significantly impacted by coronavirus to support the ability of such institutions to continue to provide educational services and support the ongoing functionality of the institution; and
 - (3) provide support to any other institution of higher education, local educational agency, or education related entity within the State that the Governor deems essential for carrying out emergency educational services to students for authorized activities described in section 18003(d)(1) of this title or the Higher Education Act, the provision of childcare and early childhood education, social and emotional support, and the protection of education-related jobs.
- (d) **REALLOCATION.** Each Governor shall return to the Secretary any funds received under this section that the Governor does not award within one year of receiving such funds and the Secretary shall reallocate such funds to the remaining States in accordance with subsection (b).

SECTION 18003(d)(1)

(d) **USES OF FUNDS.** A local educational agency that receives funds under this title may use the funds for any of the following:

- (1) **Any activity authorized by the ESEA of 1965**, including the **Native Hawaiian Education Act and the Alaska Native Educational Equity, Support, and Assistance Act** (20 U.S.C. 6301 et seq.), the **Individuals with Disabilities Education Act** (20 U.S.C. 1400 et seq.) (“IDEA”), the **Adult Education and Family Literacy Act** (20 U.S.C. 1400 et seq.), the **Carl D. Perkins Career and Technical Education Act of 2006** (20 U.S.C. 2301 et seq.) (“the Perkins Act”), or subtitle B of title VII of the **McKinney Vento Homeless Assistance Act** (42 U.S.C. 11431 et 2 seq.).

ASSISTANCE TO NON-PUBLIC SCHOOLS

SEC. 18005.

- (a) **IN GENERAL.** A local educational agency receiving funds under sections 18002 or **18003** of this title **shall provide equitable services** in the same manner as provided under **section 1117** of the ESEA of 1965 to students and teachers in non-public schools, as determined in consultation with representatives of non-public schools.
- (b) **PUBLIC CONTROL OF FUNDS.** The control of funds for the services and assistance provided to a nonpublic school under subsection (a), and title to materials, equipment, and property purchased with such funds, shall be in a public agency, and a public agency shall administer such funds, materials, equipment, and property and shall provide such services (or may contract for the provision of such services with a public or private entity).

CONTINUED PAYMENT TO EMPLOYEES

SEC. 18006. A local educational agency, State, institution of higher education, or other entity that receives funds under “Education Stabilization Fund”, shall to the greatest extent practicable, continue to pay its employees and contractors during the period of any disruptions or closures related to coronavirus.

DEFINITIONS

SEC. 18007. Except as otherwise provided in sections 18001–18006 of this title, as used in such sections—

- (1) the terms “elementary education” and “secondary education” have the meaning given such terms under State law;
- (2) the term “institution of higher education” has the meaning given such term in title I of the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.);
- (3) the term “Secretary” means the Secretary of Education;
- (4) the term “State” means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico;
- (5) the term “cost of attendance” has the meaning given such term in section 472 of the Higher Education Act of 1965.
- (6) the term “Non-public school” means a nonpublic elementary and secondary school that (A) is accredited, licensed, or otherwise operates in accordance with State law; and (B) was in

existence prior to the date of the qualifying emergency for which grants are awarded under this section;

- (7) the term “public school” means a public elementary or secondary school; and
- (8) any other term used that is defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801) shall have the meaning given the term in such section.

MAINTENANCE OF EFFORT

SEC. 18008.

- (a) A State’s application for funds to carry out sections 18002 or 18003 of this title shall include assurances that the State will maintain support for elementary and secondary education, and State support for higher education (which shall include State funding to institutions of higher education and state need-based financial aid, and shall not include support for capital projects or for research and development or tuition and fees paid by students) in fiscal years 2020 and 2021 at least at the levels of such support that is the average of such State’s support for elementary and secondary education and for higher education provided in the 3 fiscal years preceding the date of enactment of this Act.
- (b) The secretary may waive the requirement in subsection (a) for the purpose of relieving fiscal burdens on States that have experienced a precipitous decline in financial resources.