

U.S. Department of Education Authorizes New Funding Flexibilities to Support Continued Learning During Emergency

The U.S. Department of Education has announced a new streamlined process for providing states funding flexibilities to best meet the needs of students and educators during the COVID-19 national emergency. The new flexibilities, authorized under the CARES Act, allow schools to repurpose existing K-12 education funds for technology infrastructure and teacher training on distance learning, among other flexibilities to move resources to areas of highest need during the national emergency. By providing a streamlined process to obtain funding flexibilities, states will be able to quickly make decisions to meet the needs of their students.



“By extending additional funding flexibility to schools, we are helping to ensure student learning continues and supporting teachers as they transition to virtual classrooms. Local leaders have asked for the ability to steer more resources to local needs, and these new tools will help them do just that,” according to the secretary.

Any state may complete a brief form available at oese.ed.gov, to receive an initial determination within one business day. Using the form, states can receive 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, states may request a waiver of:

- 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 Department’s earlier announcement of a turnkey [waiver process](#) allowing states to cancel federally-mandated standardized testing, in response to school closures. Since that announcement, USDOE has approved waivers for all 50 states and the District of Columbia. It further builds on actions to support states and local education leaders through [guidance on ensuring students with disabilities have access](#) to distance learning opportunities and providing an [extension for states that need additional time](#) to develop career and technical education plans

under the Strengthening Career and Technical Education for the 21st Century Act (Perkins V).

SCHOOLS TO STAY CLOSED, REGENTS CANCEL EXAMS

The governor announced today that he is extending school closures until at least April 29th.

At today's teleconference meeting of the Board of Regents, state Regents exams were cancelled for this year. According to Chancellor Rosa, details will be provided tomorrow on graduation requirements. Here is a link to the department's full memo that the board considered and approved.

<http://www.regents.nysed.gov/common/regents/files/420bra6.pdf>

GOVERNOR: WE ARE REACHING THE APEX OF THE CRISIS

At today's daily press conference, Governor Cuomo announced some of the ups and downs of coping with the crisis. The good news is that we may be reaching the apex. Daily death counts are declining; thank God. Initial use of some medications have been positive and the state is lifting the 14 day limit on use of the helpful drugs. Hospitalizations for non-virus related injuries and illnesses have declined dramatically as people stay off the roads and stay home. As a result, the USN Comfort, anchored in New York harbor, was intended to deal with the overflow of non-COVID-19 as hospitals filled with those seeking relief from the virus. That has not been needed, as those admissions have declined. As a result, the governor is requesting that the ship be reassigned to deal with patients afflicted with the virus.

The bad news is that good weather has apparently led people out of their homes and into groups. Reports of large funerals and other functions being held over the weekend have led the governor to increase the fine for failing to observe social distancing from \$500 to \$1000. "The risk is too great. Enforce the law." He also says that each region of the state has sufficient ventilators for current use and they will continue to be deployed as needed.