

ASBO INTERNATIONAL LEGISLATIVE BELIEFS ADDENDUM

COVID-19 Policy Recommendations to Support Public Education

The novel Coronavirus (COVID-19) pandemic has created an unprecedented worldwide health, economic, and education crisis. ASBO International recognizes the unique challenges school districts face as our members serve their communities and prepare to safely reopen schools. To support school business leaders in delivering a high-quality, equitable education to students while ensuring the health and safety of children and their staff, ASBO International proposes the following legislative and regulatory recommendations:

Provide temporary, targeted waivers and flexibility for states and school districts so that they may quickly respond to students' and families' immediate needs throughout the pandemic.

Child Nutrition: Extend nationwide USDA waivers issued due to COVID-19 for child nutrition program operations throughout the summer and (as districts deem necessary) for SY 2020–2021, and increase flexibility with the Community Eligibility Provision (CEP) to feed students and families in need.

- Waivers may include (but not be limited to): congregate feeding, mealtimes, meal patterns, serving multiple meals at once, area eligibility, and meal pick-up requirements.
- Under current regulations, CEP allows high-poverty districts with more than 40% of students enrolled in Free and Reduced-Price Lunch (FRPL) to serve universal meals to all students. Considering COVID-19's impact on the rising unemployment rate and number of new families qualifying for SNAP, Congress should allow districts the flexibility to qualify for CEP based on student FRPL data from the past three years. This flexibility will ensure greater participation in the program and support students in need.

Special Education: Provide temporary, limited flexibility for IDEA regarding local maintenance of effort (MOE); timeline requirements for special education evaluation, eligibility, transition, and IEP teams; and adjusting IEPs.

- COVID-19 forced districts to quickly close schools and reallocate resources to meet unexpected needs including transitioning to remote education models and purchasing technology, training staff, feeding students during closures, etc. IDEA MOE requires districts to meet 100% of fiscal effort but there are no exceptions for pandemics. Districts that act in good faith but fail MOE must return unspent dollars (potentially losing millions) that could support special education students later. Congress and ED should provide temporary local flexibility by allowing a 20% reduction in fiscal effort during the COVID-19 crisis.

K-12 Procurement: Provide joint guidance from ED and the Office of Management and Budget (OMB) to assist states and districts with purchasing and procuring COVID-19-related health and safety supplies (e.g., masks, gloves, cleaning wipes, etc.) required for safely reopening schools in the context of global supply chain shortage and other challenges.

Provide robust federal financial support to states and districts that account for tax revenue shortfalls (sales, income, property, oil/gas, timber, etc.) and increased operating costs for schools to reopen in SY 2020-2021. Educators require additional resources to address the unique health, safety, social-emotional, and academic needs of students due to the broad-scope nature of the COVID-19 emergency.

Increase CARES Act Emergency Funding: States and districts require significant additional funding dedicated to K-12 education through the CARES Act Education Stabilization Fund program and federal FY2021 appropriations.

- Provide at least \$200 billion for K-12 public education in additional CARES Act funding for schools to flexibly spend for purposes authorized by IDEA, ESSA, the McKinney-Vento Act, CTE/Perkins, and other allowable COVID-19-related needs. Distribute federal funds to states and districts quickly to help address urgent local needs.
- To minimize the extent to which federal emergency funding to states may be used by states to backfill cuts to education, ASBO supports the inclusion of state MOE and supplement, not supplant provisions. If the state stabilization fund allows states to pursue MOE waivers, the statute must also include language to ensure that state budgets invest at least the same proportion of the remaining dollars in education.
- Ensure that federal funds are distributed equitably and are not used to further education privatization. Any federal education dollars that are available to private schools must follow ESSA's equitable services provision; the share of dollars to private schools must be allocated based on the number of Title I students served. ASBO opposes ED's non-binding guidance on CARES Act equitable services and supports rescinding or revising the guidance to ensure funds are equitably distributed in a manner consistent with CARES Act and ESSA statutes.

Fix the "Homework Gap": As schools closed and quickly transitioned to remote and online education models, longstanding digital equity issues were exposed between students with/without reliable Internet access. These issues must be addressed, especially as districts plan to incorporate remote and online learning models for SY 2020-2021.

- Establish a \$4 billion Emergency Connectivity Fund through the E-Rate program for schools and libraries so districts may purchase Wi-Fi hotspots, connected devices, and mobile broadband Internet service to help students connect and learn online.

Invest in Safe & Healthy Schools: The average school building is more than 50 years old. School facilities require extensive repairs and upgrades to improve indoor air quality, promote higher hygiene standards, and encourage physical distancing to mitigate COVID-19 spread and keep students, staff, and communities safe. Districts will incur significant costs to comply with CDC-recommended health and safety guidelines.

- Ensure that any federal infrastructure package includes H.R.865, the Rebuild America's Schools Act, which would provide \$100 billion to help repair and modernize school facilities. Congress should also invest an additional \$100 billion to support facility adjustments needed specifically because of COVID-19 so that schools can reopen safely.
- Expand the allowable uses of eligible assistance that may be reimbursed to school districts under Category B of FEMA's Public Assistance Program. Allow reimbursements for increased emergency costs associated with serving meals to students, sanitizing facilities, and providing premium pay for custodial staff to clean facilities that are critical to district operations throughout the pandemic.

Help Schools Feed Students & Support Communities: School nutrition programs rely on federal reimbursements from meals served to pay for expenses. Last year, between March and June, schools served more than 2.5 billion meals and snacks and received over \$5 billion in reimbursement. Due to COVID-19-related school closures, only a fraction of that number of meals was served this spring. This unanticipated loss of revenue has forced programs to tap into fund balances and draw upon lines of credit to sustain operations.

- Provide \$2.6 billion for K-12 school nutrition programs to mitigate a portion of the significant financial loss that districts have and will continue to experience due to the pandemic. It is imperative to support these programs, which feed our students and create jobs for local communities. Funding must be provided to make programs financially solvent and maintain the integrity of essential food security programs as communities recover from the pandemic, especially as more children and families will rely on school meal programs.

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