



BEST FOR ALL

We will set all students on a path to success.

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BEST FOR ALL

We will set all students on a path to success.

ACADEMICS

ALL TENNESSEE STUDENTS WILL
HAVE ACCESS TO A HIGH-QUALITY
EDUCATION, NO MATTER WHERE
THEY LIVE

WHOLE CHILD

TENNESSEE PUBLIC SCHOOLS
WILL BE EQUIPPED TO SERVE THE
ACADEMIC AND NON-ACADEMIC
NEEDS OF ALL STUDENTS

EDUCATORS

TENNESSEE WILL SET A NEW PATH
FOR THE EDUCATION PROFESSION
AND BE THE TOP STATE TO
BECOME AND REMAIN A TEACHER
AND LEADER

TN

Department of
Education

Agenda

- Quick Recap of Last Call
- Department News
- Update on ESSER Fund Equitable Services Recommendations
- Your Questions
- Overall Resources



Objectives

Today, we will:

- Provide Category I nonpublic schools and accrediting agency guidance in light of extended school closures due to COVID-19; and
- Answer questions concerning nonpublic schools.



Disclaimer



The following is guidance provided by the department:

- Student and staff health and safety is the top priority; therefore, it is recommended that all decisions pertaining to this national health emergency be carefully evaluated by the organization's legal counsel and must consider all current CDC guidance.
- Involving your local health department and community leaders is important in making a well-informed decision for your organization.
- It is also important to note that this is a rapidly evolving situation, and guidance may change as events progress.

Quick Recap of Last Call



RISE Awards 2020

- Recognizing Inspirational School Employees (RISE) Award honors classified school employees who provide exemplary service.
- Open to K-12 employees who work as a paraprofessional, or in clerical and administrative services, transportation services, food and nutrition services, custodial and maintenance services, security services, health and student services, technical services, or skilled trades.
- [Nominations](#) are due Aug. 3.
- TDOE will select up to two individuals to nominate to the U.S. Department of Education in November.



Teacher Professional Development Opportunity

- TDOE, in partnership with Trevecca University
- **Free training on remote learning and teaching to all Tennessee teachers.**
- Self-paced, four modules
- Learn the ins and outs of designing classes for remote instruction, use technology to enhance learning outcomes, make use of a variety of learning management systems and more.
- Available now through August 1.
- Click [here](#) to learn more.



Department News



Re-Opening of Schools

Resources Expected from the Department:

- (1) LEA Guide
- (2) School Reopening Toolkits
- (3) Procedures Samples and Videos
- (4) Continuity of Instruction Plans
- (5) LEA Technical Assistance



Re-Opening of Schools

LEA Guide

Roles and Experiences of Teams and Stakeholders

- Executive Cabinet
- Senior District Leadership
- Team Members
- School-level Staff
- Consideration of HR Policies

Planning

- General Planning and Data Considerations
- Phases
- Best Practice
- Considerations
- Calendar and Options
- Financials
- Resources for Field

Communication

- Stakeholder Groups
- Task Force
- Formal
- Templates

Phases of Reopening



Re-Opening of Schools

School Reopening Toolkits:

- Academics
- Childcare
- Communications
- Equitable Access and Opportunity
- Finance
- Governance and Management
- Health and Public Health
- Nutrition
- Plans: Emergency Operations, Pandemic, Post-recovery Evaluation
- Postsecondary Transitions
- Professional Development
- Reopening Framework
- Social Distancing at Schools
- Special Populations
- Staffing
- Technology
- Transportation
- Wellbeing and Mental Health



Re-Opening of Schools

- Procedures Samples and Videos
 - These procedures are only intended to be samples of how districts and schools may think about putting those recommendations into practice.
 - It is the decision of each local district to determine what procedures and precautions they believe are in the best interest of their students, staff, and communities.
- Continuity of Instruction Plans and LEA Technical Assistance
 - Templates
 - Technical Assistance Modules
 - CORE Office supports



ESA Program Update

- An Appeals Court hearing date is set for Aug 5.
- On May 20, the state Attorney General asked the state Supreme Court to reverse the orders to stop the implementation of the program, and hear the case challenging the constitutionality of the program.
- On May 20, the Institute for Justice also announced it will ask the Tennessee Supreme Court to allow the ESA program to continue and take jurisdiction over the case.
- On May 26, the Curriculum, Testing, & Innovation Subcommittee in the House did not move forward with efforts to delay or stop the implementation of the ESA program.
- On June 3, the Senate Education Committee will discuss the bill that as introduced deletes the TN ESA program.



TN Teacher Jobs Connection

- TDOE [launched the TN Teacher Jobs Connection](#) this week.
- With over 1,200 teaching vacancies across the state of Tennessee, and a pandemic that has limited traditional recruiting methods, the department launched this new initiative to support districts in finding and hiring great teachers.
- On a weekly basis, the department will send out information collected from interested educators to TASPAs members, who serve as human resources professionals for districts across Tennessee.
- Job-seeking teachers can submit their information to the department online through [this form](#). More information on the TN Teacher Jobs Connection can be found [here](#).



Neglected and Delinquent Program Facilities Lunch and Learn

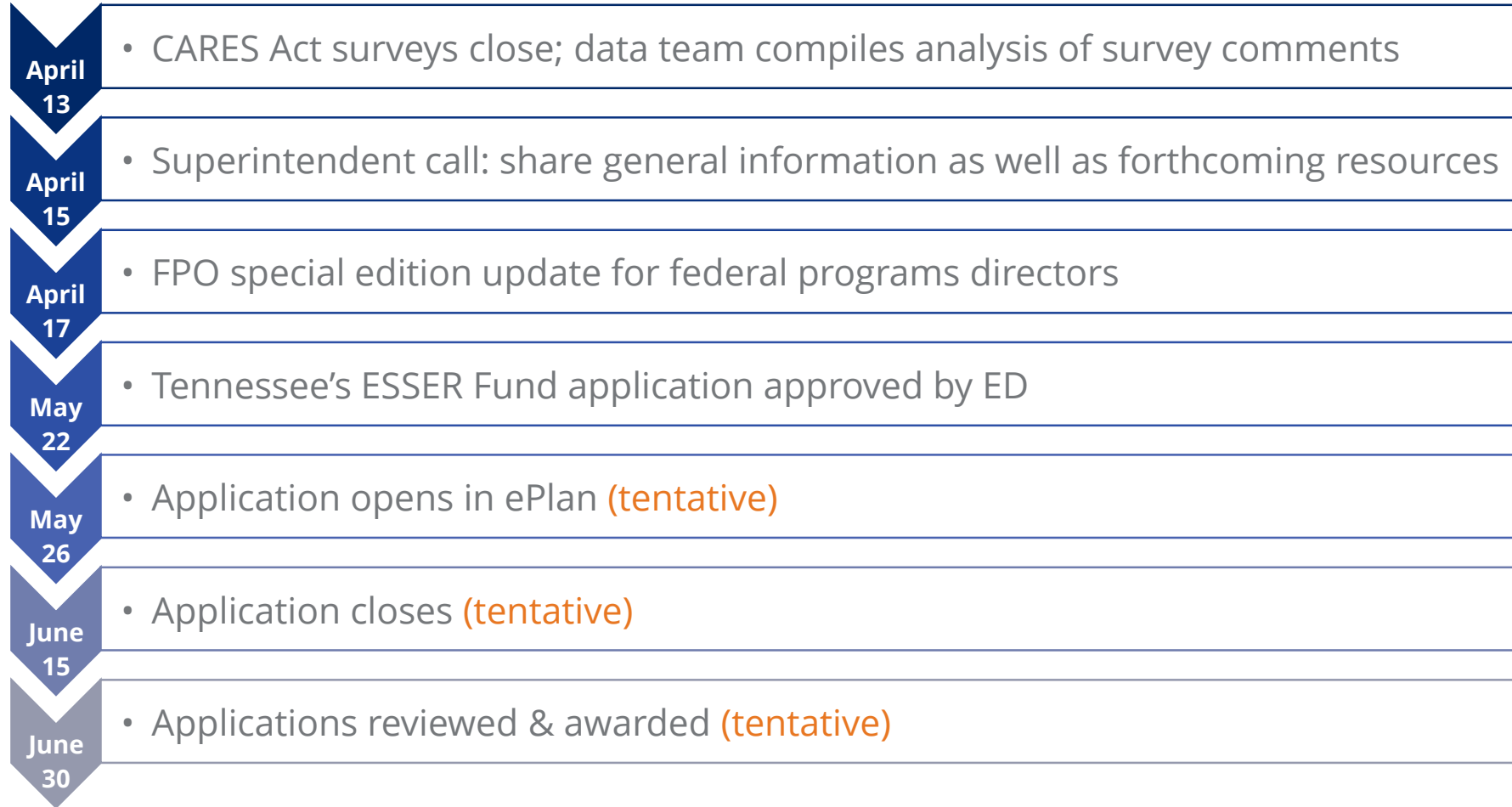
- The Non-Traditional Educational Programs (NEP) team will be hosting a lunch and learn on June 17th at 11:00am CST and 12:00pm CST for Category I, special purpose schools.
- Join us for an opportunity to collaborate and partner with other colleagues who have continued to provide educational services during this challenging time.
- Contact Daniel.Froemel@tn.gov for more information.



CARES Act: ESSER Fund Equitable Services Overview



LEA Application Timeline



Equitable Services Overview

- A local educational agency (LEA) that receives funds under the Elementary and Secondary School Emergency Relief Fund (ESSER Fund) (CARES Act § 18003) must provide equitable services to students and teachers in nonpublic schools in the same manner as provided under the Elementary and Secondary Education Act of 1965 (ESEA) § 1117 (CARES Act § 18005(a)).



Equitable Services Eligibility

- Each LEA must reach out to all eligible nonpublic schools located within their geographic area, including both those that have historically participated in equitable services and those that have not.



Current Guidance: Equitable Services Proportionate Share

- LEAs must use the total allocation it receives under the ESSER Fund to determine the proportional share available for equitable services before reserving funds for other purposes.
- LEAs should use student enrollment data in nonpublic schools whose students and teachers will participate under the ESSER Fund compared to enrollment in public schools in the LEA to determine the proportional share.



Secretary DeVos' Letter to CCSSO

“Please let your members know that, consistent with the law, they should be ensuring that local educational agencies (LEAs) are holding meaningful consultation with nonpublic school representatives. If they or their district superintendents insist on acting contrary to the Department’s stated position, they should, at minimum, put into an escrow account the difference between the amount generated by the proportional-student enrollment formula and the Title I, Part A formula. That way, nonpublic school students and teachers can begin to receive at least some of the equitable services to which they are entitled.”

Source: May 22, 2020 Letter to CCSSO

Option 1: LEA Next Steps

- **Continue** to conduct **meaningful consultation** with nonpublic schools within **your LEA's geographic area**.
- **Continue** to **use student enrollment data** in nonpublic schools whose students and teachers will participate under the **ESSER Fund** compared to **enrollment in public schools** in the LEA to determine the proportional share.
- **LEA's should immediately begin serving nonpublic schools** in accordance with the CARES Act while also limiting possible ramifications should ED change its guidance on how to calculate the proportionate share.

Option 2: LEA Next Steps



- **Continue** to conduct the meaningful consultation process with nonpublic schools in their LEA area
- **Budget a difference between the amount generated** by the proportional-student enrollment formula and the Title I, Part A formula in 72130-599 in your district's ESSER Application
- **Serve nonpublic school students and teachers** so they can begin to receive at least some of the equitable services to which they are entitled in a timely manner.

Upcoming Release of Information from ED

U.S. Department of Education (ED) will be issuing a rule on the equitable services topic in the next few weeks and inviting public comments in the Federal Register

- The department will share the public comment invitation with all stakeholders
- Stakeholders will have the opportunity to share their opinions with ED



Resources and Supports



Equitable Service Ombudsman

- To help ensure equitable services and other benefits for eligible private school children, teachers and other educational personnel, and families, a State Education Agency (SEA) must designate an ombudsman to monitor and enforce ESEA equitable services requirements under both Title I and Title VIII (ESEA sections 1117(a)(3)(B) and 8501 (a)(3)(B).)



Ombudsman Role and Contact

- The ombudsman is required to monitor and enforce equitable services requirements and serves as the Tennessee Department of Education's primary point of contact for addressing questions and concerns from private school officials and LEAs regarding the provision of equitable services.
- Contact Information:
Danny Bounds
Danny.Bounds@tn.gov
(615) 917-3465

Resources

- In ePlan > TDOE Resources > CARES Act/ESSER Fund:
 - [CARES Act: ESSER Funding Application Guide](#)
 - Application Overview [Webinar](#)
 - [Allowable Expenses Examples](#)
 - **Equitable Services Packet**
 - [Sample Letter from LEAs to nonpublic Schools](#)
 - Intent to Participate Form – [Word](#) or [PDF](#) version
 - Affirmation of Consultation - [Word](#) or [PDF](#) version
 - [Q&A The Coronavirus Aid, Relief, and Economic Security \(CARES\) ACT](#)
 - [Q&A Equitable Services for the CARES Act/ESSER Fund](#)
 - [U.S. Department of Education Guidance: Providing Equitable Services to Students and Teachers in nonpublic Schools under the CARES Act Programs](#)

Office Hours with Reviewers

- Daily WebEx office hours will be scheduled during the application window with times alternating between the morning and afternoon.
 - New information will not be presented during office hours.
 - LEAs are encouraged to attend these virtual sessions to ask questions and glean insights and ideas from other stakeholders.
- Office hour schedules and log-in information can be found [here](#) (ePlan > TDOE Resources > CARES Act/ESSER Fund > CARES Act Application Training Materials).



Resources for LEAs

- In ePlan > TDOE Resources > CARES Act/ESSER Fund:
 - **Equitable Services Packet**
 - [Sample Letter from LEAs to nonpublic Schools](#)
 - Intent to Participate Form – [Word](#) or [PDF](#) version
 - Affirmation of Consultation - [Word](#) or [PDF](#) version
 - [Q&A The Coronavirus Aid, Relief, and Economic Security \(CARES\) ACT](#)
 - [Q&A Equitable Services for the CARES Act/ESSER Fund](#)
- [U.S. Department of Education Guidance: Providing Equitable Services to Students and Teachers in nonpublic Schools under the CARES Act Programs](#)
- In ePlan > TDOE Resources > CARES Act/ESSER Fund:
 - CARES Act: ESSER Funding Application Guide
 - Application Overview Webinar and Walkthrough
 - Allowable Use of Funds Guide One Pager



Questions From the Field



FAQs on CARES Act

- Can CARES Act money be used toward a bus and a driver if it acts as a Wifi hotspot and delivers meals to areas with connectivity issues? **Yes**
- Can indirect costs be charged to grant? **Yes**
- Will we still be eligible to receive CARES funds if we are still paying contractors and employees to the greatest extent possible during this time of closure? **Yes**
- What pre-award costs are allowed? **Any costs incurred responding to the pandemic beginning March 13.**



FAQs on CARES Act...Continued

- What is the difference between GEER and ESSER?
GEER is at the discretion of the Governor, and is a separate application. ESSER is a broader use of funds to address needs that have emerged, such as technology, supporting teachers and cleaning.
- Does the CARES Act include a supplement, not supplant requirement?
No. ESSER and GEER do not include a “supplement not supplant” requirement. However, these funds cannot be used to replace state aid if a district has additional costs (transportation, additional staff expenses) they could be paid with this fund.



LEAs have started consulting with nonpublics and have been giving estimates for what money is available from the ESSER Funds. Some schools are still wary of accepting, fearing that there will be regulations or other strings attached (beyond the requirements for the use of the funds). Is it still accurate to advise nonpublic schools that the ESSER Funds do not come with strings attached (unlike Title I funding, for example)?

Yes, it is still accurate to advise nonpublic schools that the ESSER funds do not come with strings attached. The Title I formula will be used only to distribute the funds, but once the districts receive the funding, it will not be considered Title I funding. Receiving ESSER funds will not impact your formula Title funds (Title I, II, III, IV).



Is a nonpublic school whose students and teachers receive equitable services under the CARES Act programs a “recipient of Federal financial assistance”?

No. A nonpublic school whose students and teachers receive equitable services under the CARES Act programs is not a “recipient of Federal financial assistance.” A public agency must control and administer the CARES Act funds; in other words, no funds may go directly to a nonpublic school. Thus, a nonpublic school is not a recipient of Federal financial assistance by virtue of its students and teachers receiving equitable services from an LEA under a CARES Act program.



If a nonpublic school has not yet communicated with their LEA about ESSER Funds, is it too late to start the process?

It is the responsibility of the LEA to reach out to the nonpublic school, however the nonpublic school can contact the LEA. If there is no response from the LEA, then the non-public school may contact the State Ombudsman, Danny Bounds, to file a complaint. The deadline for the LEA to turn in the application is June 15.



More Resources



Resources:

- [Tennessee Department of Education COVID-19 Guidance & Resources](#)
- [ePlan](#)
- [CDC Guidance for Correctional and Detention Facilities](#)
- [NDTAC Guidance](#)
- [National Council for Behavioral Health](#)
- [Special Education Related FAQ](#)
- [School Closure Toolkit for Districts: Special Populations](#)
- [Guidance on School and District Accountability](#)
- [PBS Teaching Tennessee](#)
- [ReadyRosie](#)
- [STEAM Resources for At-Home Learning](#)
- [SBE Covid-19 Emergency Rules](#)
- [SBE Amended Rules for Nonpublic Schools](#)



Thank you, private school leaders,
for continuing to care for and
educate Tennessee's students.

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