

# CARES Act Monitoring2020–21 Program Instrument

**California Department of Education**

**December 2020**

## III. Funding

### CA 01: Time and Effort Requirements

1. The local educational agency (LEA) must properly charge and document salaries and wages that are reasonable, necessary, and allowable in accordance with applicable federal, state and program requirements.
(2 Code of Federal Regulations [2 *CFR*] sections 200.430[a] and [i], 200.1, and 200.405; California School Accounting Manual (CSAM) Procedure 905)
2. Governor’s Emergency Education Relief (GEER) – Resource Code 3215
3. Elementary and Secondary School Emergency Relief (ESSER) – Resource Code 3210

#### Evidence Requests

##### Chart of Accounts

Abbreviation: CtAccts

Description: A list of the established accounts used by the LEA including categories such as fund, resource, object, site, etc.

Item Instructions:

Related Items: CA 01, FM 01, FM 02, FM 03, FM 04

##### Duty Statements

Abbreviation: DtyStmnt

Description: An individual employee's duty statement describing responsibilities and activities (cost objectives), as agreed to by employer and employee.

Item Instructions: CA 01: Once the Payroll Records, Position Control Report and General Ledger have been provided, the reviewer will select a sample of employees for review; Duty Statements should be provided for each of these employees.

Related Items: CA 01, AE 04, FM 01, FM 03, EXLP 11, SEI 05, SEI 07, CTE 02, ME 09, CE 10, CE 11, CE 13, NorD 06

##### General Ledger

Abbreviation: GnLdgr

Description: Detailed General Ledger for the specific resource code(s) being reviewed. (The General Ledger should include the date, description, vendor name, and total amount for each expenditure line item).

Item Instructions: CA 01: The reviewer will indicate which fiscal year to provide. Provide district-wide General Ledger reports for these resource codes: a) 3215 – 2020 GEER, b) 3210 – 2020 ESSER.

Related Items: CA 01, AE 02, FM 01, FM 02, FM 03, FM 05, FM 06, EXLP 09, EXLP 11, EXLP 19, SEI 05, SEI 06, SEI 07, CTE 02, ME 07, ME 08, CE 10, NorD 05

##### Payroll Records

Abbreviation: PyrlRcrds

Description: Record of salaries and benefits paid to employees that work at the LEA for the fiscal year under review, that identifies the employees’ name, hours worked, gross pay, net pay, deductions, and payroll period.

Item Instructions: CA 01: The reviewer will indicate which fiscal year to provide. Provide district-wide General Ledger reports for these resource codes: a) 3215 – 2020 GEER, b) 3210 – 2020 ESSER.

Related Items: CA 01, FM 01, FM 03, ME 09

##### Position Control Report

Abbreviation: PstnCntrlRprt

Description: Budget report of employees planned to be paid in whole, or in part, with federal funds by resource code in the fiscal year under review.

Item Instructions: CA 01: The reviewer will indicate which fiscal year the LEA should provide for review. This district-wide report should include the employees’ name, resource code(s), salary, and benefits for all funding sources.

Related Items: CA 01, FM 01, FM 03, SEI 05, SEI 07, ME 09, CE 10, CE 13, NorD 05, NorD 06

##### Time and Effort Policies and Procedures

Abbreviation: TmEffrtRprtPlcyPrcdrs

Description: LEA’s established written policies and procedures for documenting time and efforts of employees that work on federal programs for the current year.

Item Instructions: CA 01: The documentation should include the LEA’s specific policies and procedures for documenting actual hours worked, including related internal controls, employee training, reconciliation processes, deadlines, and authority.

Related Items: CA 01, AE 02, FM 01, CTE 02, EL 08, CE 13, NorD 06

##### Time and Effort Records

Abbreviation: TmEfrtRcrds

Description: Documentation to support salaries and benefits charged to each program funding source under review in accordance with federal requirements. Records may include personnel activity reports, semiannual certifications, or other equivalent records. Budget estimates do not qualify as support.

Item Instructions: CA 01: Once Payroll Records and Position Control Report have been provided; the reviewer will select two quarters of time accounting records for review.

Related Items: CA 01, AE 02, FM 01, FM 03, EXLP 09, CTE 02, EL 08, HE 10, ME 09, CE 10, CE 13, NorD 05

### CA 02: Allowable Costs

1. The LEA is required to have a system of internal control which provides reasonable assurance that all costs charged to the programs are reasonable, necessary, and allowable in accordance with applicable statutes, regulations, and program requirements for the following programs:
(2 CFR sections 200.302 – 303, 200.313, 200.317 – 327, and 200.400–476)
2. Coronavirus Relief (CR) – Resource Code 3220
3. GEER – Resource Code 3215
4. ESSER – Resource Code 3210

#### Evidence Requests

##### Chart of Accounts

Abbreviation: CtAccts

Description: A list of the established accounts used by the LEA including categories such as fund, resource, object, site, etc.

Item Instructions:

Related Items: CA 02, FM 01, FM 02, FM 03, FM 04

##### General Ledger

Abbreviation: GnLdgr

Description: Detailed General Ledger for the specific resource code(s) being reviewed. (The General Ledger should include the date, description, vendor name, and total amount for each expenditure line item).

Item Instructions: CA 02: The reviewer will indicate which fiscal year to provide. Provide district-wide General Ledger reports for these resource codes: a) 3220 – 2020 CR, b) 3215 – 2020 GEER, c) 3210 – 2020 ESSER.

Related Items: CA 02, AE 02, FM 01, FM 02, FM 03, FM 05, FM 06, EXLP 09, EXLP 11, EXLP 19, SEI 05, SEI 06, SEI 07, CTE 02, ME 07, ME 08, CE 10, NorD 05

##### Allowability Procedures

Abbreviation: AlwbltyPrcdr

Description: LEA’s established written procedures for determining the allowability of costs in accordance with federal regulations.

Item Instructions:

Related Items: CA 02, FM 02, DR 02

##### Equipment Procedures

Abbreviation: EqmtPrcdrs

Description: LEA’s established written procedures for managing equipment in accordance with federal requirements.

Item Instructions: CA 02: The documentation provided should be specific to the LEA’s management of equipment, whether acquired in whole or in part under the federal award.

Related Items: CA 02, FM 02, DR 02

##### Procurement Procedures

Abbreviation: PrcrmntPrcdrs

Description: LEA’s established written procedures over the purchasing and payment process.

Item Instructions: CA 02: The documentation provided should be specific to the LEA’s procurement process.

Related Items: CA 02, FM 02, FM 03

##### Travel Policy

Abbreviation: TrvlPlcy

Description: LEA’s established written policy for determining the allowability of travel costs in accordance with federal requirements.

Item Instructions: FM 02: The documentation provided should be specific to the LEA’s travel processes.

Related Items: CA 02, FM 02

##### Conflict of Interest Policy

Abbreviation: CnftlntrtPlcs

Description: LEA’s established written standards of conduct covering conflicts of interest and governing the actions of its employees and consequences for violations of the policy.

Item Instructions: FM 02: The documentation provided should be specific to the LEA.

Related Items: CA 02, FM 02

### CA 03: Cash Management

1. The LEA must properly calculate, report, and remit interest earned on unspent federal advances for the following programs:
(2 CFR 200.302 and 200.305[b][9])
	* 1. GEER – Resource Code 3215
		2. ESSER – Resource Code 3210

#### Evidence Requests

##### Chart of Accounts

Abbreviation: CtAccts

Description: A list of the established accounts used by the LEA including categories such as fund, resource, object, site, etc.

Item Instructions:

Related Items: CA 03, FM 01, FM 02, FM 03, FM 04

##### Cash Balance Report

Abbreviation: CshBalRpt

Description: Documentation identifying the LEA’s average daily (or monthly) cash balances of unspent federal advances, as appropriate.

Item Instructions: CA 03: Documentation should include a full accounting of the daily (or monthly) balances by resource code. Identify the grant budget funds received on an advance basis.

Related Items: CA 03, FM 04

##### Cash Management Procedures

Abbreviation: CshMngmntPrcdrs

Description: LEA’s established written cash management procedures, including how the LEA calculates interest earned on federal advances.

Item Instructions:

Related Items: CA 03, FM 04

##### County Treasurer Interest Rate Notification

Abbreviation: CntyTrsrIntrstRtNtfctn

Description: Documentation from the County Treasurer that identifies the interest rate used in the calculation of interest earned on federal cash advances.

Item Instructions: CA 03: Documentation may be a letter, email, or report from the County Treasurer.

Related Items: CA 03, FM 04

##### Interest Remittances (date and amount)

Abbreviation: IntrstRmtncs

Description: Documentation substantiating that interest earned on federal advances has been remitted to the California Department of Education (CDE).

Item Instructions: CA 03: LEA must include documentation substantiating the LEA reported and/or remitted interest for the two most recent quarters. If necessary, additional quarters may be requested by the reviewer.

Related Items: CA 03, FM 04

##### LEA Interest Calculation

Abbreviation: LEAIntClc

Description: Documentation substantiating the two most recent quarters for which the LEA reported and/or remitted interest earned on federal advances.

Item Instructions: CA 03: Should provide the full calculation detail, not summaries, including the average daily or monthly cash balances, specific resources included, annual interest rate, and calculations.

Related Items: CA 03, FM 04

### CA 04: Procurement

1. The LEA must follow appropriate procurement processes for its contracts. In addition, the LEA must demonstrate that it used arm’s length bargaining and received a fair price for its contracts in accordance with federal and state requirements. (2 CFR Section 200.317 - 327 and California Public Contract Code sections 20110 – 20118.4)
	1. The LEA must document that all procurement through noncompetitive proposals only occurred because the item was only available from a single source, an emergency would not permit a delay, the CDE expressly authorized noncompetitive proposals in writing, or after solicitation of sources, competition was deemed inadequate. (2 CFR Section 200.320[c])

#### Evidence Requests

##### Procurement Procedures

Abbreviation: PrcrmntPrcdrs

Description: LEA’s established written procedures over the purchasing and payment process.

Item Instructions: CA 04: The documentation provided should be specific to the LEA’s procurement process.

Related Items: CA 04, FM 02, FM 03

##### Conflict of Interest Policy

Abbreviation: CnftlntrtPlcs

Description: LEA’s established written standards of conduct covering conflicts of interest and governing the actions of its employees.

Item Instructions: CA 04: The documentation provided should be specific to the LEA.

Related Items: CA 04, FM 02

##### Requests for Proposals

Abbreviation: RqstsPrpsls

Description: LEA’s request for proposals.

Item Instructions: CA 04: Requests for proposals incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. In competitive procurements, the request does not unduly restrict competition. Request must identify all factors used in evaluating proposals.

Related Items: CA 04

##### Invoices

Abbreviation: Invcs

Description: Detailed receipts or documentation to substantiate how costs benefited programs.

Item Instructions: CA 04: Once the complete General Ledger has been provided, the reviewer will select a sample of invoices for review. Invoices should be itemized to identify exactly what was purchased and how the expenditure benefited the program.

Related Items: CA 04, FM 02, FM 03, SEI 05, SEI 06, SEI 07, CTE 02

##### Cost or Price Analysis

Abbreviation: CstPrcAnlyss

Description: LEA documentation of the cost or price analysis for all acquisitions over the simplified acquisition threshold.

Item Instructions: CA 04: The LEA performed a cost or price analysis for every procurement action over the simplified acquisition threshold. The LEA made an independent estimate before receiving bids or proposals.

Related Items: CA 04

##### Subcontractor Agreements

Abbreviation: SbcntrctorAgrmnts

Description: Agreements with subcontractors for goods and services provided and charged to federal emergency programs, as applicable.

Item Instructions: CA 04: Once the General Ledger is provided, the reviewer may select a sample of subcontractor agreement transactions for review.

Related Items: CA 04, FM 01, FM 03

##### Chart of Accounts

Abbreviation: CtAccts

Description: A list of the established accounts used by the LEA including categories such as fund, resource, object, site, etc.

Item Instructions:

Related Items: CA 04, FM 01, FM 02, FM 03, FM 04

##### General Ledger

Abbreviation: GnLdgr

Description: Detailed General Ledger for the specific resource code(s) being reviewed. (The General Ledger should include the date, description, vendor name, and total amount for each expenditure line item).

Item Instructions: CA 04: The reviewer will indicate which fiscal year to provide. Provide district-wide General Ledger reports for these resource codes: a) 3220 – 2020 CR, b) 3215 – 2020 GEER, c) 3210 – 2020 ESSER.

Related Items: CA 04, AE 02, FM 01, FM 02, FM 03, FM 05, FM 06, EXLP 09, EXLP 11, EXLP 19, SEI 05, SEI 06, SEI 07, CTE 02, ME 07, ME 08, CE 10, NorD 05

### CA 05: Equipment/Inventory Management

1. LEAs must maintain documentation to substantiate that all equipment purchases are reasonable, necessary, and allowable in accordance with federal, state and program requirements. (2 CFR Section 200.313 and 200.403-409; California Education Code (Ed Code) Section 35168; and CARES Act)
	1. The LEA must establish and maintain a historical inventory system for equipment with an acquisition cost of $500 or more per unit, which contains the:
		1. Type/description
		2. Model/name
		3. Serial/identification number
		4. Funding source and Federal Award Identification Number
		5. Who holds title
		6. Acquisition date
		7. Original Cost
		8. Percentage of Federal participation in the project costs for the Federal award under which the property was acquired
		9. Location
		10. Use and current condition
		11. Transfer, replacement, or disposition of obsolete or unusable equipment
		12. Any ultimate disposition data, including the date of disposal and sale price or method used to determine current fair market value
		(*EC* Section 35168; 2 CFR Section 200.313[d]; CSAM Procedure 410)
	2. The LEA must obtain prior written approval from CDE in order for capital expenditures to be allowable.
	(2 CFR 200.1 and 2 CFR 200.439)
	3. The LEA must conduct a physical inventory of the property and the results must be reconciled with the property records at least once every two years.
	(2 CFR Section 200.313[d][2]; CSAM Procedure 410)

#### Evidence Requests

##### General Ledger

Abbreviation: GnLdgr

Description: Detailed General Ledger for the specific resource code(s) being reviewed. (The General Ledger should include the date, description, vendor name, and total amount for each expenditure line item).

Item Instructions: CA 05: The reviewer will indicate which fiscal year to provide. Provide district-wide General Ledger reports for these resource codes: (a) 3220 – CR; (b) 3215 – GEER; (c) 3210 – ESSER.

Related Items: CA 05, AE 02, FM 01, FM 02, FM 03, FM 05, FM 06, EXLP 09, EXLP 11, EXLP 19, SEI 05, SEI 06, SEI 07, CTE 02, ME 07, ME 08, CE 10, NorD 05

##### Equipment Procedures

Abbreviation: EqmtPrcdrs

Description: LEA’s established written procedures for managing equipment.

Item Instructions: CA 05: The documentation provided should be specific to the LEA’s management of equipment.

Related Items: CA 05, FM 02, FM 03

##### Equipment Inventory Records

Abbreviation: EqmntInvntryRcrds

Description: Historical inventory list of all equipment purchased for $500 or more and a record of last physical inventory of items. If no purchases were made, indicate that in a comment.

Item Instructions:

Related Items: CA 05, FM 02, FM 03, SEI 05, SEI 06, SEI 07, CTE 02

##### Invoices

Abbreviation: Invcs

Description: Detailed receipts or documentation to substantiate how equipment benefited programs.

Item Instructions: CA 05: Once the complete General Ledger has been provided, the reviewer will select a sample of invoices for review. Invoices should be itemized to identify exactly what was purchased and how the expenditure benefited the program.

Related Items: CA 05, FM 02, FM 03, SEI 05, SEI 06, SEI 07, CTE 02

##### Approval of Capital Expenditures

Abbreviation: AprvlCptlExpnd

Description: For items with a unit cost of $5,000 or more, Capital Expenditures Pre-Approval Application Form showing approval by the CDE.

Item Instructions: CA 05: Provide all written approvals for capital expenditures purchased.

Related Items: CA 05, CE 15, NorD 04, SSI 06

### CA 06: Reporting

1. LEAs are required to properly report expenditures to CDE for the following programs (CARES Act, Division B, Section 15011 and 2 CFR 200.328-330):
	* 1. CR Resource 3220
		2. ESSER Resource 3210
		3. GEER Resource 3215

#### Evidence Requests

##### General Ledger

Abbreviation: GnLdgr

Description: Detailed General Ledger for the specific resource code(s) being reviewed. (The General Ledger should include the date, description, vendor name, and total amount for each expenditure line item).

Item Instructions: CA 06: The reviewer will indicate which fiscal year to provide. Provide district-wide General Ledger reports for resource codes: (a) 3220 – CR (b) 3215 – GEER, (c) 3210 – ESSER.

Related Items: CA 06, AE 02, FM 01, FM 02, FM 03, FM 05, FM 06, EXLP 09, EXLP 11, EXLP 19, SEI 05, SEI 06, SEI 07, CTE 02, ME 07, ME 08, CE 10, NorD 05

### CA 07: Program Requirements – Coronavirus Relief Fund

1. LEAs are required to maintain adequate written records to support how funds were received, disbursed, and spent under the program, including all records necessary to perform an effective audit. (2 CFR Section 200.303; 200.331-200.333; and subpart F).
	1. If LEAs receive under the $500 per student threshold, the LEA must demonstrate that it expended CR funds during the designated period of availability. (U.S. Department of Treasury guidance dated October 19, 2020, #53)
	2. If the LEA received funding in excess of the $500 per student threshold, the LEA must substantiate that the excess funding was spent on allowable activities. (U.S. Department of Treasury guidance dated October 19, 2020, #53)

#### Evidence Requests

##### General Ledger

Abbreviation: GnLdgr

Description: Detailed General Ledger for the specific resource code(s) being reviewed. (The General Ledger should include the date, description, vendor name, and total amount for each expenditure line item).

Item Instructions: CA 07: The reviewer will indicate which fiscal year to provide. Provide district-wide General Ledger reports for resource code 3220 – CR.

Related Items: CA 07, AE 02, FM 01, FM 02, FM 03, FM 05, FM 06, EXLP 09, EXLP 11, EXLP 19, SEI 05, SEI 06, SEI 07, CTE 02, ME 07, ME 08, CE 10, NorD 05

##### Invoices

Abbreviation: Invcs

Description: Vendor invoices, detailed receipts or documentation to substantiate services were provided and/or goods were delivered during the covered period (March 1, 2020 – Dec. 30, 2020).

Item Instructions: CA 07: Once the complete General Ledger had been provided, the reviewer will select a sample of invoices for review. Invoices should be itemized to identify exactly what was purchased and when the goods or services were delivered/performed.

Related Items: CA 07, FM 02, FM 03, SEI 05, SEI 06, SEI 07, CTE 02

##### Student Enrollment Data

Abbreviation: StdntEnrllmntData

Description: Enrollment data used to calculate that the LEA is receiving less or more than $500 per student in CR funds.

Item Instructions: CA 07: Documentation will be used to calculate flexibility threshold, consistent with CR Guidance

Related Items: CA 07

### CA 08: Program Requirements – Governor’s Emergency Education Relief Fund

1. LEAs are required to maintain adequate written records to support how funds were received, disbursed, and spent under the program, including all records necessary to perform an effective audit. (2 CFR Section 200.334-338)
	1. LEAs receiving GEER funds must use those funds for allowable purposes during the period of availability (CARES Act Section 18002[a])

#### Evidence Requests

##### General Ledger

Abbreviation: GnLdgr

Description: Detailed General Ledger for the specific resource code(s) being reviewed. (The General Ledger should include the date, description, vendor name, and total amount for each expenditure line item).

Item Instructions: CA 08: The reviewer will indicate which fiscal year to provide. Provide district-wide General Ledger reports for resource code 3215 – GEER.

Related Items: CA 08, AE 02, FM 01, FM 02, FM 03, FM 05, FM 06, EXLP 09, EXLP 11, EXLP 19, SEI 05, SEI 06, SEI 07, CTE 02, ME 07, ME 08, CE 10, NorD 05

##### Invoices

Abbreviation: Invcs

Description: Vendor invoices, detailed receipts or documentation to substantiate the funding was used on allowable Learning Loss Mitigation Fund costs during the covered period (March 13, 2020 – September 30, 2022).

Item Instructions: CA 08: Once the complete General Ledger has been provided, the reviewer will select a sample of invoices for review. Invoices should be itemized to identify exactly what was purchased and how the expenditure benefited the program.

Related Items: CA 08, FM 02, FM 03, SEI 05, SEI 06, SEI 07, CTE 02

##### Payroll Records

Abbreviation: PyrlRcrds

Description: Record of salaries and benefits paid to employees that work at the LEA for the fiscal year under review, that identifies the employees’ name, hours worked, gross pay, net pay, deductions, and payroll period.

Item Instructions: CA 08: The reviewer will indicate which fiscal year to provide. Provide district-wide General Ledger reports for these resource codes: a) 3215 – 2020 GEER, b) 3210 – 2020 ESSER.

Related Items: CA 08, FM 01, FM 03, ME 09,

##### Time and Effort Records

Abbreviation: TmEfrtRcrds

Description: Documentation to support salaries and benefits charged to each program funding source under review in accordance with federal requirements. Records may include personnel activity reports, semiannual certifications, or other equivalent records. Budget estimates do not qualify as support.

Item Instructions: CA 08: Once Payroll Records and Position Control Report have been provided; the reviewer will select two quarters of time accounting records for review.

Related Items: CA 08, AE 02, FM 01, FM 03, EXLP 09, CTE 02, EL 08, HE 10, ME 09, CE 10, CE 13, NorD 05

### CA 09: Program Requirements – Elementary and Secondary Emergency Education Relief Fund

9.0 LEAs are required to maintain adequate written records to support how funds were received, disbursed, and spent under the program, including all records necessary to perform an effective audit. (2 CFR Section 200.334-338)

9.1 LEAs are required to use ESSER funds for activities authorized by the Elementary and Secondary Education Act of 1965 (ESEA) as amended by the Every Student Succeeds Act of 2000 (ESSA), Individuals with Disabilities Education Act (IDEA), the Adult Education and Family Literacy Act, the Perkins Career and Technical Education (CTE) Act, or the McKinney-Vento Homeless Assistance Act, and other permissible activities under CARES Act Section 18003. (CARES Act Section 18003[d])

#### Evidence Requests

##### General Ledger

Abbreviation: GnLdgr

Description: Detailed General Ledger for the specific resource code(s) being reviewed. (The General Ledger should include the date, description, vendor name, and total amount for each expenditure line item).

Item Instructions: CA 09: The reviewer will indicate which fiscal year to provide. Provide district-wide General Ledger reports for resource code 3210 – ESSER.

Related Items: CA 09, AE 02, FM 01, FM 02, FM 03, FM 05, FM 06, EXLP 09, EXLP 11, EXLP 19, SEI 05, SEI 06, SEI 07, CTE 02, ME 07, ME 08, CE 10, NorD 05

##### Invoices

Abbreviation: Invcs

Description: Vendor invoices, detailed receipts or documentation to substantiate how costs benefited programs during the covered period (March 13, 2020 – September 30, 2022).

Item Instructions: CA 09: Once the complete General Ledger has been provided, the reviewer will select a sample of invoices for review. Invoices should be itemized to identify exactly what was purchased and how the expenditure benefited the program.

Related Items: CA 09, FM 02, FM 03, SEI 05, SEI 06, SEI 07, CTE 02

##### Payroll Records

Abbreviation: PyrlRcrds

Description: Record of salaries and benefits paid to employees that work at the LEA for the fiscal year under review, that identifies the employees’ name, hours worked, gross pay, net pay, deductions, and payroll period.

Item Instructions: CA 09: The reviewer will indicate which fiscal year to provide. Provide district-wide General Ledger reports for these resource codes: a) 3215 – 2020 GEER, b) 3210 – 2020 ESSER.

Related Items: CA 09, FM 01, FM 03, ME 09

##### Time and Effort Records

Abbreviation: TmEfrtRcrds

Description: Documentation to support salaries and benefits charged to each program funding source under review in accordance with federal requirements. Records may include personnel activity reports, semiannual certifications, or other equivalent records. Budget estimates do not qualify as support.

Item Instructions: CA 09: Once Payroll Records and Position Control Report have been provided; the reviewer will select two quarters of time accounting records for review.

Related Items: CA 09, AE 02, FM 01, FM 03, EXLP 09, CTE 02, EL 08, HE 10, ME 09, CE 10, CE 13, NorD 05

## Appendix A: Allowable Costs by Program

### Learning Loss Mitigation Fund (LLMF)

LLMF includes CR Funds, GEER Funds, and General Funds. Generally, the funding under LLMF must be used for activities that directly support pupil academic achievement and mitigate learning loss related to COVID-19 school closures. Funds may be used to support individuals served by LEAs, including, but not limited to, those enrolled in a childcare program, California State Preschool Program, kindergarten, grades 1 through 12, and adult education programs. Specifically, funds are to be used for:

* Addressing learning loss or accelerating progress to close learning gaps through the implementation, expansion, or enhancement of learning supports that begin before the start of the school year and the continuation of intensive instruction and supports into the school year.
* Extending the instructional school year by making adjustments to the academic calendar, increasing the number of instructional minutes provided during each week or school day or taking any other action that increases the amount of instructional time or services provided to pupils based on their learning needs
* Providing additional academic services for pupils, such as diagnostic assessments of pupil learning needs, intensive instruction for addressing gaps in core academic skills, additional instructional materials or supports, or devices or connectivity for the provision of in-classroom and distance learning.
* Providing integrated pupil supports to address other barriers to learning, such as the provision of health, counseling, or mental health services, professional development opportunities to help teachers and parents support pupils in distance-learning contexts, access to school breakfast and lunch programs, or programs to address pupil trauma and social-emotional learning.
* Addressing health and safety concerns, including, but not limited to, purchasing public health testing, personal protective equipment, supplies to sanitize and clean the facilities and school buses of a local educational agency, and for other related needs.

### Governor’s Emergency Education Relief (GEER) Fund

LEAs must use GEER Funds consistent with the allowable uses under the LLMF. Additionally, GEER Funds are subject to the Uniform Grant Guidance, including the cost principles, and are subject to equitable services requirements in Section 18005. GEER Funds must be used to prevent, prepare for and respond to COVID-19. LEAs may charge reasonable and necessary administrative costs, including indirect costs. There is no supplanting prohibition for GEER Funds; accordingly, LEAs may apply their unrestricted indirect cost rate.

Under the Governor’s Emergency Education Relief Fund (GEER Fund), the U.S. Department of Education (Department) awards grants to Governors for the purpose of providing local educational agencies (LEAs), institutions of higher education (IHEs), and other education related entities with emergency assistance as a result of the Novel Coronavirus Disease 2019 (COVID-19). Each Governor will have one year, from the date of the State’s award, to award funds. (CARES Act Section 18002[a]). Any funds not awarded by the Governor within one year of receiving the State’s award will be returned to the U.S. Department of Education for reallocation.

CDE awarded GEER Fund to LEAs under the Learning Loss Mitigation Funding Award. Accordingly, LEAs receiving GEER funds must use those funds on the allowable activities. *See also* [CDE website on Learning Loss Mitigation Funding](https://www.cde.ca.gov/fg/cr/learningloss.asp#:~:text=The%20Learning%20Loss%20Mitigation%20Funding,to%20COVID%2D19%20school%20closures) for more information.

### Coronavirus Relief (CR) Fund

Payments from the Fund may only be used to cover costs[[1]](#footnote-1) that:

* Are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID–19);
* Were not accounted for in the budget most recently approved as of March 27, 2020 (the date of enactment of the CARES Act) for the State or government; and
* Were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.

In addition, CR Funds are awarded through the LLMF and must meet the requirements of LLMF.

The U.S. Department of Treasury issued guidance on October 19, 2020 to provide administrative flexibility to LEAs. Under this flexibility, LEAs do not have to document and demonstrate allowability for costs under the amount of $500 per elementary and secondary school student. In excess of this threshold, LEAs must spend CR Funds on the costs outlined below:

**53. *May Fund recipients incur expenses associated with the safe reopening of schools?***

Yes, payments from the Fund may be used to cover costs associated with providing distance learning (*e.g*., the cost of laptops to provide to students) or for in-person learning (*e.g*., the cost of acquiring personal protective equipment for students attending schools in-person or other costs associated with meeting Centers for Disease Control guidelines).

Treasury recognizes that schools are generally incurring an array of COVID-19-related expenses to either provide distance learning or to re-open. To this end, as an administrative convenience, Treasury will presume that expenses of up to $500 per elementary and secondary school student are eligible expenditures, such that schools do not need to document the specific use of funds up to that amount.

If a Fund recipient avails itself of the presumption in accordance with the previous paragraph with respect to a school, the recipient may not also cover the costs of additional re-opening aid to that school other than those associated with the following, in each case for the purpose of addressing COVID-19:

• expanding broadband capacity;

• hiring new teachers;

• developing an online curriculum;

• acquiring computers and similar digital devices;

• acquiring and installing additional ventilation or other air filtering equipment;

• incurring additional transportation costs; or

• incurring additional costs of providing meals.

Across all levels of government, the presumption is limited to $500 per student, *e.g*., if a school is funded by a state and a local government, the presumption claimed by each recipient must add up to no more than $500. Furthermore, if a Fund recipient uses the presumption with respect to a school, any other Fund recipients providing aid to that school may not use the Fund to cover the costs of additional aid to schools other than with respect to the specific costs listed above.

*The following examples help illustrate how the presumption may or may not be used:*

*Example 1:* State A may transfer Fund payments to each school district in the State totaling $500 per student. State A does not need to document the specific use of the Fund payments by the school districts within the State.

*Example 2:* Suppose State A from example 1 transferred Fund payments to the school districts in the State in the amount of $500 per elementary and secondary school student. In addition, because State A is availing itself of the $500 per elementary and secondary school student presumption, State A also may use Fund payments to expand broadband capacity and to hire new teachers, but it may not use Fund payments to acquire additional furniture.

Please be aware that CDE recommends you maintain sufficient documentation to support the use of all CR Funds.

### Elementary and Secondary School Emergency Relief (ESSER) Fund

An LEA may use ESSER funds for any allowable expenditure incurred on or after March 13, 2020, the date the President declared the national emergency due to COVID-19. Federal cash management rules will apply to this funding.

Costs must be necessary and reasonable for proper and efficient administration of the ESSER program and support any activities authorized by the Elementary and Secondary Education Act of 1965 (ESEA) as amended by the Every Student Succeeds Act of 2000 (ESSA), Individuals with Disabilities Education Act (IDEA), the Adult Education and Family Literacy Act, the Perkins Career and Technical Education (CTE) Act, or the McKinney-Vento Homeless Assistance Act. (CARES Act Section 18003(d)) In addition to these, LEAs can use funds for the following activities:

* Coordination of preparedness and response efforts of LEAs with State, local, Tribal, and territorial public health departments, and other relevant agencies
* Providing principals and others school leaders with the resources necessary to address the needs of their individual schools
* Activities to address the unique needs of low-income children or students, children with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and foster care youth, including how outreach and service delivery will meet the needs of each population
* Developing and implementing procedures and systems to improve the preparedness and response efforts of LEAs
* Planning for and coordinating on long-term closures (including on meeting IDEA requirements, how to provide online learning, and how to provide meals to students)
* Staff training and professional development on sanitation and minimizing the spread of infectious disease
* Purchasing supplies to sanitize and clean the facilities of LEA, including buildings operated by the LEA
* Purchasing educational technology (hardware, software, and connectivity) for students, that aids in the regular and substantive educational interaction between students and their classroom instructors, including low-income students and students with disabilities, which may include assistive or adaptive technology
* Mental health services and supports
* Summer learning and supplemental after-school programs, including providing classroom instruction or online learning during the summer months and addressing the needs of low-income students, students with disabilities, English learners, migrant students, students experiencing homelessness, and children in foster care
* Discretionary funds for school principals to address the needs of their individual schools
* Other activities that are necessary to maintain the operation and continuity of services in LEAs and to continuing the employment of their existing staff

Additionally, ESSER Funds are subject to the Uniform Grant Guidance, including the cost principles, and are subject to equitable services requirements in Section 18005. The equitable services set-aside should be calculated using the LEA’s Title I, A percentage. ESSER Funds must be used to prevent, prepare for and respond to COVID-19. LEAs may charge reasonable and necessary administrative costs, including indirect costs. There is no supplanting prohibition for ESSER Funds; accordingly, LEAs may apply their unrestricted indirect cost rate.

1. For the Coronavirus Relief Fund, U.S. Department of Treasury will assume any cost $500 or below per elementary and secondary student to be allowable meaning the LEA does not need to document specific uses of funds up to $500. [↑](#footnote-ref-1)