



The Coronavirus Child Care and Education Relief Act

Sponsored by Senator Patty Murray (D-WA)

As the novel coronavirus (COVID-19) continues to spread throughout the country, child care providers, K-12 schools, and colleges are confronting enormous budget shortfalls with no end in sight. After taking on unprecedented expenses since the beginning of the pandemic, they now face the prospect of devastating state and local funding cuts. These cuts come at the same time as schools and child care providers are working with public health authorities to keep children, students, and staff safe under any reopening scenario as the pandemic continues. Significant federal investments are needed to help schools and colleges make reopening decisions based on science, and to continue to ensure that all students receive high-quality education and support services, whether in-person or remotely. Schools must also prepare to address the very real issue of learning loss, particularly for students from low-income families, students of color, first-generation college students, students with disabilities, English learners, students experiencing homelessness, foster care youth, migrant children, and students involved with the juvenile justice system. Schools will also need to address the social and emotional needs of students, including helping them meet basic needs with housing, food, and health care.

To help child care providers, K-12 schools, colleges, children, students, and their families, Senator Murray is introducing the *Coronavirus Child Care and Education Relief Act*. This legislation would build on the educational investments from the CARES Act and provide almost \$430 billion in funding for child abuse and neglect prevention, child care, K-12 education, postsecondary education, and workforce development. The bill also fixes numerous issues created by Secretary DeVos' flawed and harmful implementation of the CARES Act that has caused unnecessary confusion for educational institutions responding to COVID-19.

The *Coronavirus Child Care and Education Relief Act* would provide a total of almost \$430 billion in funding for:

The Child Care Is Essential Act. Child care was in crisis long before the COVID-19 pandemic hit, but now we are at risk of losing nearly [half](#) of the nation's child care supply. As workplaces begin to reopen and working families need child care, child care providers across the country are struggling to stay in business as they operate with significantly reduced capacity and face increased operating costs with limited revenue. The *Coronavirus Child Care and Education Relief Act* includes the *Child Care Is Essential Act*, a bill led by Senators Murray, Smith, Warren, Casey, and Gillibrand and co-sponsored by 30 Senate Democrats. This bill would provide \$50 billion in grant funding to child care providers to stabilize the child care sector and support providers to safely reopen and operate. Administered through the existing Child Care and Development Block Grant (CCDBG), grants would be available to licensed, regulated, or registered child care providers that are currently open or temporarily closed due to COVID-19. Grants would enable child care providers to meet their heightened costs, backfill limited revenue due to COVID-19, and provide tuition relief to working families. Additionally, the bill would enable child care providers to continue to pay staff wages and benefits during periods of closure or reduced enrollment, and to purchase necessary supplies to keep children and staff safe.

The Child Abuse Prevention and Treatment Act (CAPTA). The *Coronavirus Child Care and Education Relief Act* provides \$1.5 billion for child abuse prevention through the CAPTA. The bill includes \$500 million for CAPTA's State grants to provide necessary supports to child welfare workers

during the COVID-19 pandemic to prevent, investigate, and treat child abuse and neglect, including by purchasing personal protective equipment and other sanitation supplies. Additionally, the bill invests \$1 billion in CAPTA's community-based child abuse and neglect prevention programs to provide vital community-based supports and services to strengthen families during the pandemic. Finally, the bill increases dedicated funding for Tribal and migrant communities to prevent child abuse and neglect.

The Education Stabilization Fund (ESF): The ESF, initially created by the CARES Act and improved through the *Coronavirus Child Care and Education Relief Act*, invests \$345 billion in education to stabilize and prevent cuts to education. This funding supports the Governor's Emergency Education Relief Fund (GEER), the Elementary and Secondary School Emergency Relief Fund (ESSERF), and the Higher Education Emergency Relief Fund (HEERF). ESF also includes robust funding for the Bureau of Indian Education and Tribal Colleges and Universities and outlying areas. Within the ESF, funds are provided for the:

- **Governor's Emergency Relief Fund (GEER).** The bill provides over \$33 billion to governors to support educational programs significantly impacted by COVID-19. Governors may also use funds to support early childhood education programs, including State pre-K programs, in order to ensure young children continue to receive care and services during the pandemic.
- **Elementary and Secondary School Emergency Relief Fund (ESSERF).** The bill makes a new investment of \$175 billion in funding to State educational agencies and school districts, allocated based on their share of Title I-A grants for FY19 under the Elementary and Secondary Education Act. This critical funding will help States and school districts ensure that students can keep learning and schools can reopen when it is safe to do so, including supporting implementation of public health protocols such as social distancing and purchasing PPE. Funds can also be used to support and improve distance education, and address students' academic, social, and emotional needs during the pandemic. In addition, school districts must set aside at least 20 percent of their funds to measure and address learning loss among students due to the school closures this past spring. The ESSERF provisions also correct issues created by Secretary DeVos' flawed implementation of CARES:
 - ***Equitable Services for Students at Private Schools:*** The *Coronavirus Child Care and Education Relief Act* overturns Secretary DeVos' incorrect interpretation of the "equitable services" requirement and requires school districts to calculate the equitable services set-aside based on the number of students from low-income families in private schools.
 - ***Elimination of Secretarial Discretionary Funding:*** The *Coronavirus Child Care and Education Relief Act* removes the discretionary set aside for the U.S. Secretary of Education that Secretary DeVos has used to advance her school privatization agenda.
- **Higher Education Emergency Relief Fund (HEERF).** The bill makes a new investment of more than \$132 billion to students and institutions of higher education. This critical support would be provided both for emergency financial aid grants to students for expenses like food, housing, child care, and technology supplies, and to colleges to confront the increased costs and financial pressures they face during the COVID-19 pandemic and the current economic downturn. The bill [improves the formula](#) used to distribute funds under the CARES Act by using student headcount to allocate funds, helping to ensure community colleges that enroll more part-time students receive more equitable support. In addition, the HEERF makes critical investments in Historically Black Colleges & Universities, Tribal Colleges, and other Minority-Serving Institutions to ensure that funding is equitably distributed to support students of color and students from low-income families struggling under the combined weight of systemic racism,

health disparities from the pandemic, and widespread unemployment. The bill will correct numerous issues created by [Secretary DeVos' flawed implementation](#) of the original HEERF, including:

- ***Overturning Secretary DeVos' Effort to Limit Eligibility for Aid.*** Importantly, the bill would [overturn Secretary DeVos' cruel and unauthorized effort](#) to bar Dreamers and undocumented students from aid, contrary to [Congressional intent](#), and also helps students who are not “title IV” eligible—including those students who have not filled out a FAFSA, are struggling academically, have a minor drug conviction, have previously defaulted on a student loan, and those who are veterans using the GI Bill.
- ***Targeting Funds to Institutions with Need.*** The bill would better target funds to institutions and students with need, including a set-aside for colleges that were already serving students exclusively online prior to COVID-19. The bill would [stop Secretary DeVos from providing special favors](#) to colleges that did not need federal funds. At the same time, it maintains important guardrails against inappropriate spending on executive compensation, athletics, and college endowments.
- ***State and Local Education Budgets.*** The ESF also protects all education investments by enacting a strong “maintenance of effort” (MOE) requirement for both K-12 and higher education. The bill establishes that, in return for the substantial federal investment of \$345 billion in education stabilization, states must provide an assurance they will not cut their own education spending for three years. These provisions are essential for saving education jobs and ensuring that costs are not passed on to students and families.

Robust Funding for the Elementary and Secondary Education Act's Title I-A, I-C, and III

Programs and for McKinney-Vento: The *Coronavirus Child Care and Education Relief Act* provides an additional \$12.9 billion in K-12 funding: \$11 billion to Title I, Part A which provides formula funds to support local educational agencies and schools with higher numbers of children from low-income families; \$300 million to Title I, Part C which is the Migrant Education Program to support migrant children and youth; \$100 million to Title I, Part D which is the Neglected and Delinquent Youth program that provides funds for educational services, transitional supports, and drop-out prevention for neglected or delinquent youth; and \$1 billion to Title III which is the English Language Acquisition Program to support English learners. The bill also provides \$500 million in funding for the Education for Homeless Children and Youths program under McKinney-Vento that supports students experiencing homelessness.

Individuals with Education Disabilities Act (IDEA): The *Coronavirus Child Care and Education Relief Act* also provides a total of almost \$12 billion in funding for the Individuals with Disabilities Education Act (IDEA). This includes \$11 billion to Part B (K-12 programs), \$500 million to Part C (infant and toddler programs), and \$400 million to Part B Sec. 619 (preschool programs). There is also language included that requires the Secretary to ensure that for a state to receive any of the funding for elementary, secondary, or early childhood in the bill, the State must assure the Secretary that full rights are provided to children with disabilities and their families under IDEA and Section 504 of the Rehabilitation Act.

E-Rate: Additionally, the *Coronavirus Child Care and Education Relief Act* includes Senator Markey's *Emergency Educational Connections Act of 2020*, co-sponsored by 44 Senate Democrats, provides \$4 billion to schools through Federal Communication Commission's E-Rate program. This funding would enable schools to purchase discounted computers, tablets, hotspots, and at-home internet service for students and educators.

Flexibility for HBCU Endowments and Capital Financing: The bill includes provisions to increase liquidity and cash flow at HBCUs by allowing them more flexibility to use their endowments and defer their capital finance loans.

TRIO Programs: The bill includes \$450 million for the TRIO programs. The bill provides \$250 million to boost all TRIO programs, including Educational Opportunity Centers that help unemployed and low-income adults earn high school credentials (such as the GED) and apply for college, and Talent Search that serves low-income, first-generation middle and high school students. The bill also includes \$200 million for technology support for TRIO students.

Adult Education and Literacy: The *Coronavirus Child Care and Education Relief Act* provides \$1 billion to increase access to adult education and literacy programs to help individuals attain the basic skills necessary for economic self-sufficiency. \$100 million is reserved for adult education and literacy activities in correctional facilities. Funding may be used to expand the capacity of adult education providers, including additional training in digital literacy, expansion of infrastructure to move educational services online, and encouraging adult education providers to coordinate with the workforce development systems.

Perkins Career and Technical Education: The bill includes \$1 billion to support state grants for career and technical education programs and activities. These additional funds shall be used to support activities improving or expanding career and technical education programs and programs of study to adequately respond to State and local needs as a result of COVID-19. These activities may include updates to physical and digital infrastructure to deliver both in-person and virtual learning activities, as well as an expansion of work-based learning supports for students and employers.

Community College and Industry Partnership Grants: The *Coronavirus Child Care and Education Relief Act* provides \$2 billion to support community colleges and consortia to develop and scale career training programs that support high-skill, high-wage, or in-demand industry sectors and occupations. These programs would be developed in consultation with employers to ensure that students gain the skills and competencies necessary to meet future employment demand. Additionally, funds may be used to provide supportive services to students enrolled in these programs. The Community College and Industry Partnership Grants are based upon Senator Kaine and Senator Young's bipartisan *ACCESS to Careers Act*. These grants build upon the Trade Adjustment Assistance for Community College Career Training grant program, which helped support nearly 2,600 programs of study in the wake of the Great Recession.