

HICKMAN COUNTY BOARD OF EDUCATION
BOARD RETREAT---January 23, 2021

The Hickman county Board of Education met on January 23, 2021, at 8:00 AM in Room 203 of the Central Office Building.

Call To Order

Moment of Silence

Pledge of Allegiance

Board Policy 1.801

Addition of high school drafting program

Strategic Planning

Long-range facility planning

Assessment

Resources and Materials

Grow Your Own Initiative

Funding Sources for Strategic Planning

ESSER 1.0

ESSER 2.0

Announcements

Board members need to complete the TN Statement of Disclosure of Interests prior to the end of January.

Adjourn

The Hickman County Board of Education will meet in a working session on Saturday, January 23, 2021, from 8:00 a.m.-12:00 p.m. in the library at East Hickman Middle School. This is a working meeting and no votes will be taken.

- I. Call to Order
- II. Moment of Silence
- III. Pledge of Allegiance
- IV. Discussion items:
 - A. Tennessee School Attendance and Board policy 1.801
 - B. Addition of drafting program at high school
 - C. Strategic Planning
 1. Long-term facilities
 - a. Regrouping
 - b. Assessment
 2. Resources and Materials
 3. Grow Your Own Initiative
 4. Funding Sources
 - a. ESSER 2.0
 - b. ESSER 1.0 reallocation

Hickman County Board of Education

	Descriptor Term: School Day	Descriptor Code: 1.801	Issued Date: 08/05/19
		Rescinds: 1.801	Issued: 07/17/17

- 1 The minimum length of the school day shall be seven (7) hours total for all grades.¹
- 2 All teachers shall be on duty at least eight (8) hours and such additional time as the administrative
- 3 organization requires.²

Legal References

1. TRR/MS 0520-01-03-.02(1)(a)
2. TRR/MS 0520-01-03-.03(1)

Cross References

- Staff Time Schedules 5.602
Staff Meetings 5.603



Department of
Education

Student Membership and Attendance Procedures Manual

Tennessee Department of Education | 2020

Introduction

The Student Membership and Attendance Procedures Manual serves to provide local education agencies (LEAs) with clear guidance for obtaining student attendance. This manual does not represent specific legal advice. For specific legal advice, please contact your local board attorney.

The manual includes a number of membership/attendance accounting procedures either required by legislative action or recommended by attendance supervisors and user technicians.

Penny Schwinn
Commissioner
Department of Education
State of Tennessee

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I. Attendance

I-A. Attendance Procedures

1. Attendance shall be marked daily, beginning with the first day of school, for pre- kindergarten through grade 12 (pre-K–12) students.
2. A Personal Identification Number (PIN) shall be used to uniquely identify students upon entry into a Tennessee public school, i.e., 9 + the 3-digit school system number + 00001 to 99999.
 - a. This uniquely assigned PIN must remain with the student throughout the student's career in Tennessee public schools regardless of subsequent transfers within the school district or to other Tennessee school districts.
3. Prior to the beginning of the school year, the principal shall provide teachers with an attendance packet that includes the district procedures for attendance accounting. The attendance packet shall also include all necessary attendance forms, the district's attendance policies, and the district's attendance symbols.
4. Each teacher shall receive a list of students assigned to his or her class prior to the first day of the class (including homeroom teachers). Individual classroom teachers shall be responsible for keeping daily attendance for the students assigned to the class. Regardless of the number of students who pre-registered, only those students who are actually in attendance shall be counted present.
5. Each teacher responsible for taking attendance when school convenes shall report any student who is absent to the office. The office shall distribute a daily absentee list to each teacher. A teacher shall then report any student who is absent from class but not included on the absentee list to the office.
6. Students in grades pre-K–12 shall be present at least 50 percent of the scheduled school day in order to be counted present. In determining 50 percent of the scheduled school day, the beginning of the general instructional day must be used. Neither the arrival time of school buses, departure time of school buses, nor breakfast program, shall be considered part of the instructional day.
7. Students receiving special education services may attend part-time days, alternating days, or for a specific amount of time as indicated in their IEP.
8. Students not in school on any day for at least 50 percent of the scheduled school day shall be considered absent for state reporting. This includes students not present at least 50 percent of an abbreviated scheduled school day.

9. Students who are absent from school are included in Average Daily Membership (ADM) counts but excluded from Average Daily Attendance (ADA) counts.
10. Students serving in-school suspension and receiving educational services; homebound students receiving homebound services; alternative school or program students; students serving as a page for the General Assembly; and students participating in school-sponsored events shall be counted present.
11. Students serving out-of-school suspension shall be marked absent. Suspension is defined as dismissed from attendance at school for any reason not exceeding 10 consecutive days. The school district shall remain eligible to receive funding for a suspended student. The parent or legal guardian of a suspended student shall be notified in accordance with T.C.A. § 49-6-3401.
 - a. Students receiving special education services may be suspended out of school without educational services for up to 10 cumulative days per school year. Educational services must be provided on all days subsequent to the exhaustion of the 10 cumulative days. Consult your special education supervisor for specific guidance regarding procedural safeguards when considering suspending a child who is receiving special education services.
12. Expulsion is defined as removal from attendance for more than 10 consecutive days or more than 15 days in a month of school attendance. The school district shall not be eligible to receive funding for an expelled student. The parent or legal guardian of an expelled student shall be notified in accordance with T.C.A. § 49-6-3401. Students who have been expelled:
 - a. Shall not be reported in any attendance code to EIS during the period of expulsion. LEAs may choose to implement a local attendance code for expelled students;
 - b. Shall be marked "E" for the disciplinary action code; and
 - c. Shall have an end date entered for his or her class schedule beginning the first day of expulsion. When student returns after expulsion a new class schedule shall be submitted for the student.

Please note pursuant to the federal IDEA, students with disabilities may be suspended from school without educational services for 10 cumulative days per school year. For any removal exceeding 10 days, the student must be provided educational services in an alternate setting.

13. Districts may establish policies that include opportunities for students to attend make-up sessions outside the regular school day in order to regain credit due to absence from school. Make-up sessions outside the regular school day may not be used to allow students to regain lost time or "cancel-out" an absence.

14. After the first two weeks of school, the teacher must transfer any temporary attendance records to the teacher's permanent attendance record. Attendance records must be maintained in the local school office.
15. Prior to the end of the first 20-day reporting period, a list of students who have pre-registered, but have not attended school, shall be submitted to the principal and/or attendance supervisor. The principal and/or attendance supervisor shall make a determination as to whether the student has moved or transferred and shall take action to enforce compulsory attendance laws, if necessary.
16. Attendance on grade cards must align with school attendance records.
17. Any student shall be considered a dropout after 10 consecutive days of unexcused absences and after all requirements for truancy intervention have been followed.
18. A student who has dropped out or is withdrawn from a school's enrollment shall be coded as a "withdrawal" beginning with the day following the last day of attendance. A student that was enrolled in a school the previous year, but did not return in the current year, shall be considered withdrawn as of the first day of school. Every effort should be made to determine what happened to students who leave the system in order to record the proper withdrawal code. A full list of withdrawal codes can be found in the [EIS Appendices](#).
19. Students who have dropped out or who have been withdrawn from a school's enrollment shall not be deleted from a school's record.
 - a. A kindergarten student under the age of six may be deleted from a school's record when the student leaves kindergarten within six weeks of initial enrollment and waits until the next school year to begin school, or when the child is pre-registered for kindergarten and never shows up.
 - b. A pre-K student may be deleted from a school's record when the student leaves pre-K within six weeks of initial enrollment and waits until the next school year to begin school, or when the child is pre-registered for pre-K and never shows up.
20. Students who pass the GED within the same year that they drop out can be re-entered and considered completers. These students are coded as GED completers but are only included in the denominator of the graduation rate calculation and do not count as graduates.

I-B. Excused and Unexcused Absences

1. LEAs shall follow the State Board of Education's [School Attendance Policy 4.100](#) with regard to state requirements for excused and unexcused absences.

2. LEAs shall adopt a local policy outlining excused and unexcused absences in compliance with the [School Attendance Policy 4.100](#).
3. If conflicts between teacher records and other records relating to excused or unexcused absences occur, the information recorded in the school office data file shall prevail.
4. Students with five or more unexcused absences shall be reported to the attendance supervisor. Parents or guardians must be notified each time a student has five unexcused absences pursuant to T.C.A. § 49-6- 3007. Additional notices must be sent after each successive accumulation of five unexcused absences. All requirements for truancy intervention shall be followed pursuant to T.C.A. § 49-6- 3009.

I-C. Out-of-School Activities

1. Students participating in out-of-school activities shall be counted as present only when the activities are school directed, related to an instructional activity, and have prior approval of the local board of education.
 - a. Allowable out-of-school activities may include: field trips, career and technical education student organization activities, school club member competitions (e.g., Forensics Club), athletic team participations, band contests, etc. For additional guidance on allowable out-of-school activities, see the [State Board School Attendance Policy 4.100](#).
 - b. Non-allowable out-of-school activities include: release of all students to attend athletic events, state tournaments, or Fair Day or exempting students from attendance on any of the instructional days for any type of reward (e.g., magazine sales, attendance, academic, etc.). Note: If a school releases all students for events that are non-allowable, the missed days must be made up by following the procedures for making up days outlined in section IV-I of this manual.

I-D. Illegal Reporting of Attendance

T.C.A. § 49-5-201 mandates that teachers accurately record the number of students present and absent each day. It is a violation of the law to change or falsify attendance reports.

II. Enrollment and Membership

II-A. Pre-Kindergarten Students

1. LEAs shall keep attendance records in EIS for all students in an LEA-administered pre-K. All pre- K students in the school district should be enrolled, staff and classes scheduled, and attendance maintained, including any state-funded Voluntary Pre-K, special education, Title 1, fee-based, locally funded, or any other pre-K classes that the district offers.

2. LEAs shall enter all pre-K data in EIS in the same manner as K-12 data in regard to data collection and reporting, including student enrollment, creation of school calendars, set up of staff data, class scheduling, and attendance.
3. LEAs that offer pre-K in community-based agencies shall set up the off-site class as though it were a class at an elementary school within the LEA.
4. Special education pre-K programs that provide part-time services for students, such as speech twice a week for 30 minutes, should create a schedule, including setting up each class, assigning staff, assigning students to classes, and taking attendance for those students for the time that they are receiving services.
5. Pre-K students receiving Individual Education Program (IEP) services shall be counted present for the days attended in accordance with their IEPs when the child is in attendance at least 50 percent of the time scheduled for the service(s) in the IEP. For example, a student who receives speech/language services for an hour a week would be counted as present only for the day the student receives speech when the child attends at least 50 percent of the scheduled day. If the student receiving IEP services is in attendance less than 50 percent of the time designated in the IEP for the service on the specified day, the student shall not be counted as present for any portion of the day.

II-B. Students with Disabilities

1. Students receiving special education services or provided protection under Section 504 may attend part-time days, alternating days, or for a specific amount of time as indicated in their IEP or 504 plan. Shortening a student's day may only be done if the student continues to receive a free and appropriate public education (FAPE) and the student needs a shortened day to meet his or her individual need for an appropriate education.
2. The following steps detail the enrollment process for students referred for evaluation or currently receiving special education services:
 - a. Enroll the student into the school he or she would normally be zoned to attend.
 - b. Enter all the preliminary required data from the state IEP data system (EasyIEP).
 - c. On the first day of service, the student should be assigned a class and schedule. The effective date of the class period shall be the first day the child receives service.
3. Students evaluated for special education for the first time or students served through Tennessee Early Intervention Services (TEIS) must be enrolled in EIS. To ensure that there are no gaps in service, children in TEIS shall be enrolled in EIS before they turn three years of age. Children served through TEIS shall not be assigned a schedule or class period attendance.

Options of Special Education Services:

Option of Service	Contact Hours
Option 1	a. Documented consultation b. Less than 1 hour per week of direct instructional service c. Related services at least twice a month and less than 1 hour per week
Option of Service	Contact Hours
Option 2	1-3 hours per week of direct instructional services
Option 3	4-8 hours per week of direct instructional services
Option 4	9-13 hours per week of direct instructional services
Option 5	14-22 hours per week of direct instructional services
Option 6	4 or more hours per day in the general education classroom with direct service from a special education assistant
Option 7	23 or more hours per week of direct instructional services
Option 8	32.5 or more hours per week of direct instructional services, including 2 related services
Option 9	24 hours per day of residential services
Option 10	3 or more hours per week of direct instruction in a home or hospital setting

II-C. Homebound and Hospitalized Students

1. Students with a physical or mental condition that is expected to cause the student to be absent for more than ten consecutive days should be placed on homebound status and provided homebound services. Homebound services shall begin as soon as possible in order to assure the student continuing educational support.
2. A student requiring homebound placement may need to be evaluated for eligibility for Section 504 services.
3. Homebound students shall receive at least three hours of direct instruction in a home or hospital setting per week. Homebound students receiving special education services shall receive direct instruction based on the number of hours determined by the student's IEP.
4. If a student with an IEP is placed on homebound status, an IEP team meeting should take place as soon as possible to verify that the appropriate service for the child is homebound services. An IEP team may return a homebound or hospitalized student to the regular classroom on a gradual basis. The student should be marked as homebound until that

student is in the regular classroom for at least 50 percent of the scheduled school day, at which time the homebound student is removed from the homebound/hospitalized census.

5. At the beginning of the homebound period, the appropriate staff shall enter the start date and the estimated date of return. When the student returns, the estimated date of return shall be changed to the actual date. Homebound students shall not be dropped and re-entered, but shall remain enrolled and be counted present. Homebound students and students who receive services under a section 504 plan, but are not IDEA eligible, are not included in the special education census.
6. Homebound/hospitalized students are to be included in the regular grade-level count.
7. Students with disabilities who are placed on homebound should also be included in the Option 10 count using a date range identifying the homebound period.
 - a. An IEP team may return a homebound or hospitalized student to the regular classroom on a gradual basis. The student is marked as homebound until the student is in the regular classroom for at least half of the scheduled school day, at which time the student is removed from the homebound/hospitalized census.
 - b. Special education personnel are responsible for reporting special education homebound students for each census period.

II-D. Students Attending Virtual School

1. Districts shall have a system for keeping and reporting attendance for students participating in virtual courses and students enrolled in a virtual school.
2. On or before Aug. 1 of each year, the public virtual school shall notify all LEAs of the enrollment of students residing within the LEA's jurisdiction. LEAs shall be notified within two weeks when changes occur relative to students residing within the LEA's jurisdiction.
3. Once a non-resident student has been accepted and enrolled in a public virtual school, it shall be the responsibility of the LEA that established the public virtual school to maintain enrollment of that student until the student is withdrawn by a parent or guardian.

II-E. Students Enrolled in Home School

1. Pursuant to T.C.A. § 49-6-3050, a parent-teacher conducting a home school shall maintain attendance records for the student.
2. Attendance records for a home-school student shall be submitted to the director of schools for the LEA in which the home-school student resides at the end of each school year.

II-F. Students Attending Adult High Schools or Adult Education Programs

1. The minimum length of the school day for adult high schools and adult education programs is four hours.
2. A student must be in attendance at least 50 percent of the four-hour school day in order to be counted present.
3. Adult high schools may operate 12 months per year and provide flexible scheduling necessary for both day and night programs.

II-G. Students Enrolled in Adjoining States

Pursuant to T.C.A. § 49-6-3108, boards of education located in counties which are adjacent to other states may contract with the appropriate or local state officials in the adjoining state for the education of children in kindergarten through grade twelve (K-12). These students shall be counted in computing ADM for purposes of receiving Tennessee state funds.

II-H. Enrollment by Residents of Adjoining States

Pursuant to T.C.A. § 49-6-403, local boards of education may admit students residing in adjoining states, but those students shall not be counted in computing the ADA for purposes of receiving state school funds. LEAs that admit students from adjoining states shall collect tuition at the same rate as the average cost per pupil in the district attended.

II-I. Alternative Schools or Programs

1. An alternative school or program should be considered a short-term intervention program designed to develop academic and behavioral skills for students who have been removed from the regular school program.
2. Attendance shall be maintained at each alternative school. Students in attendance at least 50 percent of the school day shall be counted as present and shall be included in ADA and ADM counts.
3. Pre-K students should not be assigned to alternative schools.

II-J. Transition Classes

1. Transition classes are those classes composed of students who have not yet mastered the skills necessary for successful completion of the next highest grade level. Placement of a student in a transition class shall be viewed as a half-step promotion. Transition classes are used between K-1, 1-2, 2-3, 3-4, 4-5, 5-6, 6-7, and 7-8.

2. The instructional grade for students enrolled in a transition class shall be the higher of the two grades involved. For example, K-1 transition students will be counted in the first grade (i.e., K- 1=T-1= first grade). A full list of the instructional grade codes, including those for transitional classes, can be found in the [EIS Appendices](#).

II-K. Work-Based Learning (WBL)

1. If a student is enrolled in a WBL placement for credit, the time spent at the WBL placement shall count toward the minimum six and one-half (6½)-hour school day.
2. Any student participating in a WBL placement for credit shall be counted present if the student is in attendance (either at the WBL placement, school, or a combination thereof) for at least 50 percent of the scheduled school day.
3. The time of day actually attributed to WBL placement is immaterial (i.e., 1 p.m. to 3p.m. should be treated the same as 7 p.m. to 9 p.m.).

II-L. Career and Technical Education (CTE) Classes

1. Students may enroll in CTE courses outside of their primary school; however, attendance must be kept at the school where the student is enrolled full time.
 - a. CTE instructors shall document students who leave early or arrive late.
 - b. CTE instructors shall record all absences and report those absences to the student's primary school.
2. A CTE student must be in attendance for 50 percent of the scheduled school day in order to be counted present.

II-M. Residential Mental Health (K-Student Classification)

1. Students are coded with the K-residential mental health student classification provided that:
 - a. The residential mental health facility operates as a Category I special purpose school pursuant to State Board of Education rules and regulations;
 - b. The student admitted to the residential mental health facility is currently enrolled in the LEA and was enrolled in the LEA in the academic year immediately preceding admission to the mental health facility; and

- c. The student is admitted to the residential mental health facility under a signed, written order of a qualified physician licensed to practice medicine in this state, such order being based upon medical necessity.
2. Students with the K-residential mental health student classification are considered present and are not coded as absent.
 3. Students with the K-residential mental health student classification are included in average daily membership (ADM) and average daily attendance (ADA).
 4. Students with the K-residential mental health student classification retain the course schedules/codes that existed prior to their placement in the residential mental health facility.
 5. For information regarding students with the K-residential mental health student classification and statewide achievement testing, please see the [District Accountability Protocol](#).

II-N. Qualified Court Ordered Day Treatment (QDT00-Student Classification)

1. Students are coded with the QDT00-qualified court ordered day treatment student classification provided that:
 - a. The educational facility operates as a Category I special purpose school pursuant to the State Board of Education rules and regulations;
 - b. The facility provides a minimum of 32 hours per week of educational instructional services to the student;
 - c. The student admitted to the facility was enrolled in the LEA in the academic year immediately preceding admission to the facility and is enrolled at the time of admittance;
 - d. The student is admitted to the facility under a signed, written order of a qualified juvenile judge or magistrate of a juvenile court in this state, such order being based upon the juvenile judge or magistrate of a juvenile court's assessment that admittance is in the best interest of the student and the community;
 - e. The student is not in the custody of the department of children's services; and
 - f. The facility is a recipient of a juvenile justice prevention grant.
 - g. For the 2018-19 school year, the following educational facilities meet the criteria stipulated in T.C.A. § 49-3-308:
 - i. Carroll County Juvenile Court;
 - ii. Montgomery County Juvenile Court; and

- iii. Rutherford County Juvenile Court, Teen Learning Center (Genesis).
- 2. Students with the QDT00 – qualified court ordered day treatment student classification are considered present and are not coded as absent.
- 3. Students with the QDT00 – qualified court ordered day treatment student classification are included in average daily membership (ADM) and average daily attendance (ADA).
- 4. Students with the QDT00 – qualified court ordered day treatment student classification retain the course schedules/codes that existed prior to their placement in the residential mental health facility.
- 5. For information regarding students with the QDT00 – qualified court ordered day treatment student classification and statewide achievement testing, please see the [District Accountability Protocol](#).

III. Membership and Attendance Accounting

III-A. Attendance Accounting

- 1. Membership and attendance accounting for each student is on the basis of the amount of time a student is enrolled for an instructional day. For schools that do not utilize a schedule based on periods, a student who is enrolled for the entire day would be 1.0 ADM.
 - a. Equal length periods: If the standard student day for a school consists of six 60-minute periods (excluding lunch), and the student is scheduled for all six periods, that student will be counted in membership for 6/6 of the day or 1.0 ADM. The student scheduled for only four periods will be counted in membership for 4/6 of the day or 0.6667 ADM. If the standard student day for a school consists of four 90-minute periods (excluding lunch), and a student is scheduled for two periods, that student will be counted in membership for 2/4 of the day or 0.5000 ADM.
 - b. Unequal length periods: If the standard student day for a school consists of six periods—four 45-minute periods and two 90-minute periods (360 minutes) (excluding lunch)—and a student is scheduled for all six periods, that student will be counted in membership for 6/6 of the day (360/360) or 1.0 ADM. The student scheduled for only four periods, three 45-minute periods and 1 one 90-minute period (225 minutes), will be counted in membership for 0.6250 ADM or 225/360.
 - c. In no case is a student authorized to be counted as more than 1.0 ADM or ADA.
 - d. Class change time of reasonable length will be considered a part of the instructional day and included in the calculation.

- e. The amount of time allowed for lunch shall be excluded from the calculation of the instructional day. If homeroom is scheduled, it is considered instructional time.
 - f. The resulting denominator used to calculate the instructional day may vary from one school/district to another because of class schedule configurations or other reasons. It is important to note, however, that the denominator used in the calculation will never be smaller than the numerator. No more than one day of instructional time will be funded for any given school day regardless of the length of the day.
 - g. The calculation of ADA is unchanged except in the case of partial students in grades 9–12. ADA must be equal to or less than ADM for partial students. In no case can ADA be greater than ADM, except the additional calculation for CTE students in grades 9–12 effectively reduces student ADA to a total which is not greater than student ADM.
2. Average Daily Attendance (ADA) is calculated as follows:
- a. Divide the total number of days present by the number of days taught within the accounting period (20 days). Carry the decimal to four places. To calculate Full-Time Average Daily Attendance (FTEADA) for CTE classes, divide total hours attended by 120 (i.e., 6-hour day x 20 days in the accounting period).
 - b. For adult high schools, use the sum of the total hours of classroom attendance divided by 80. This is on the basis of a 4-hour day and a 20-day month.
3. Average Daily Membership (ADM) is calculated as follows:
- a. The sum of total number of days enrolled divided by the number of days taught within the accounting period (20 days). Carry decimal to four places. To calculate Full-Time Average Daily Membership (FTEADM) for CTE classes, divide the total hours enrolled by 120 (i.e., 6-hour day x 20 days in the accounting period).
 - b. For adult high schools, use the sum of the total hours of classroom attendance, plus the total hours of classroom absence, divided by 80. This is on the basis of a 4-hour day and a 20-day month. Students in unstructured classes will not have absences. Students may be counted more than one FTE per day.

III-B. Career and Technical Education

1. A CTE student must be in attendance for 50 percent of the scheduled school day in order to be counted present for ADA calculations. Attendance is then prorated between academic and career and technical education. If the student is not in attendance for 50 percent of the scheduled school day, the student may not be counted present for ADA purposes. Example: A student is enrolled in four hours of academic classes and two hours of CTE classes. The

student leaves school early and misses the two-hour CTE class. The student is still in attendance for 50 percent of the scheduled school day and receives funding for that day, which is prorated 4/6 academic and 2/6 CTE.

2. CTE instructors shall keep accurate counts of all CTE students in each class, including Option 7, 8, or 9 special education students. Students receiving special education will be counted separately during each of the 20-day school reporting periods.
3. Districts shall calculate the prorated CTE attendance figures by career cluster. There are 16 career clusters, or classifications, listed on the Superintendent's Student Membership/Attendance Report. The CTE course number and corresponding career cluster, along with the period(s) that the student attends CTE class, must be entered before the end of the first reporting period in order for ADA and ADM to be calculated correctly.
4. Since Option 7, 8, or 9 special education students cannot be counted in academic ADA/ADM, it is necessary to include their CTE ADA and ADM in the appropriate columns on the Superintendent's Student Membership/Attendance Report. Example: If a student receiving special education also receives CTE training and is a part of the 23 hours of special education service, the student is counted in special education ADM and is not claimed for CTE FTEADA/ADM. However, if the CTE service is above the 23 hours of special education service, then funding for these hours is through CTE.
5. The CTE classes counted as part of the minimum hours of service for special education Option 7 shall not be counted for CTE FTEADA/ADM. Classes above the 23 hours of special education services each week shall be counted for CTE FTEADA/ADM. In order for Option 7 students to be counted in appropriate CTE classes above the 23 hours of special education services, additional entries must be made in the attendance data showing this attendance.

III-C. Transportation

1. Students who attend school any portion of the school day will be counted for transportation funding.
2. If a student rides the same bus in both the morning and the afternoon, the student is counted present once for the a.m. bus and once for the p.m. bus.
3. If a student rides only the morning bus, the student is counted present only for the a.m. bus.
4. If a student rides only the afternoon bus, the student is counted present only for the p.m. bus.
5. If a student rides different buses in the morning and afternoon, the student is counted present once for the a.m. bus and once for the p.m. bus.

IV. School Calendar

IV-A. School Year

1. Each district shall maintain a term of at least 180 days for classroom instruction.
2. If a school's graduation ceremony occurs prior to the last day of school, students must continue to attend school until the last day of the school term. Any student not in attendance for at least 50 percent of the school day shall be marked absent.
3. Districts may elect to use staggered (flexible) scheduling for kindergarten classes by policy of the local board of education. Staggered (flexible) scheduling is where kindergarten students are separated into groups and scheduled for school registration on different days during the first 10 days of school. Districts using flexible scheduling will stagger the attendance of kindergarten students during the first 10 days and count those students present who are not scheduled to attend. Students who are scheduled to attend on any given day who are not present at least 50 percent of the day shall be counted absent. Districts using staggered scheduling shall ensure all students have the opportunity to attend school for 180 days.
4. Districts may elect to use staggered (flexible) scheduling for pre-K classes for a maximum of 10 days per school year. All 10 days may be used at the beginning of the school year for staggered scheduling and/or home visits or the district may stagger five of the 10 days at other times during the school year. However, districts may not use a staggered schedule during the last 30 days of the school year. Districts using flexible scheduling will stagger the attendance of pre-K students during the 10 days and count those students present who are not scheduled to attend. Students who are scheduled to attend on any given day who are not present at least 50 percent of the day shall be counted absent. Districts using staggered scheduling shall ensure that all students have the opportunity to attend school for 180 days.
5. A list of event codes for calendar events can be found in the [EIS Appendices](#).

IV-B. School Day

1. The minimum length of the school day for grades one through twelve (1-12) is six and one-half (6½) hours.
2. The minimum length of the school day for kindergarten is four hours, five days a week, for a minimum of 180 instructional days. Double sessions in any kindergarten program may be permitted so long as both sessions meet all legal requirements for kindergarten programs.
3. The minimum length of the school day for Voluntary Pre-K (VPK) is five and one-half (5½) hours per day (exclusive of nap time), five days a week, for a minimum of 180 instructional

days. Other locally and federally funded pre-K classes, including special education programs and services, may have different requirements for the length of the school year and day.

IV-C. Year-Round Schools

Year-round schools shall:

1. be based on a 200-day calendar that ends by June 30;
2. submit to the local board of education approval of the year-round calendar;
3. be in session on Dec. 1 to accommodate the Federal Census for Special Education;
4. participate in the same testing windows for state-mandated tests; and
5. submit all required state reports.

IV-D. Abbreviated Days

1. Any school day shorter than six and one-half (6½) hours for grades one through twelve (1- 12) and four hours for kindergarten is considered an abbreviated day.
2. Any school day shorter than five and one-half (5½) hours for VPK is considered an abbreviated day.
3. Districts may schedule any three of the 180 instructional days as abbreviated days. These dates shall be specified on the 200 Day Accountability Report. The dates of these abbreviated days must be approved by the local board of education.
4. Abbreviated days must be included in the district and school calendar.

IV-E. Use of Stockpile Days for Dangerous or Extreme Conditions

1. Districts may elect to extend the school day to seven hours for the full academic year for the purpose of accumulating additional instructional time not to exceed 13 days.
2. Districts may extend the school day beyond seven hours; however, for computing stockpile days, only the 30 minutes above the six and-one-half (6½) hours may be accumulated. Districts may not accumulate more than 13 stockpile days.
3. The stockpiled days can be applied toward meeting instructional time requirements missed due to dangerous or extreme weather conditions. Prior approval from the commissioner is not required to use stockpile days for dangerous or extreme weather conditions, such as a snow day.

4. Districts must seek approval by the commissioner to use stockpile days in cases of natural disaster, serious outbreaks of illness affecting or endangering students or staff, or dangerous structural or environmental conditions rendering a school unsafe for use.
 - a. To request approval in these circumstances, directors of schools shall email Commissioner.Schwinn@tn.gov explaining the nature of the request and a list of days that school will be dismissed.
5. Any unused accumulated days for excess instructional time shall not carry over to a school year other than the year in which the time was accumulated and shall not be used to end the school year early.
6. A district may not extend the school day to seven hours by adding 30 minutes of study hall to the regular school program.
7. For the purposes of this section, "instructional day" includes lunch period, activities period, assembly period, recess period, etc.

IV-F. Use of Stockpile Days for Professional Development

1. LEAs and schools may provide for professional development during the school day under one of the following options:
 - a. LEAs that elect to extend the school day to at least seven (7) hours for the purpose of meeting instructional time requirements missed due to dangerous or extreme weather conditions may allocate a portion of that extension for the purpose of faculty professional development, Individualized Education Program (IEP) team meetings, school-wide or system-wide instructional planning meetings, parent/teacher conferences, or other similar meetings under the following conditions:
 - i. Prior to the beginning of the school year, districts shall designate how many days shall be allocated for dangerous or extreme weather conditions and how many shall be allocated for student dismissals for faculty professional development, Individualized Education Program (IEP) team meetings, school-wide or system-wide instructional planning meetings, parent/teacher conferences, or other similar meetings. The total number of days shall not exceed 13.
 - ii. Prior to the beginning of the school year, districts shall submit an [LEA Stockpiled Professional Development Days Application](#) and agenda for the allocation of excess time for faculty professional development to the commissioner of education for approval.
- b. LEAs may adopt policies providing for individual schools to have school days of at least seven hours in order to accumulate instructional time to be used for periodic

early student dismissals for the purpose of faculty professional development. The following conditions shall apply to districts exercising this option:

- i. Early dismissals shall not exceed the equivalent of 13 days and shall not exceed three and one-half (3½) hours in any week.
 - ii. Students shall attend school for at least 180 days.
3. Stockpile professional development dates scheduled prior to attendance start or after attendance end shall not be substituted for an instructional day.

IV-G. School Closure on Election Day

Schools chosen as a polling place for a regular November election shall be closed for instruction on the Election Day. The LEA may use the day as an in-service day for school personnel. Districts must still schedule 180 instructional days for students.

IV-H. Waiver of Instructional Day

In the event of a natural disaster or serious outbreaks of illness affecting or endangering students or staff during a school year, the commissioner of education may waive for that school year the requirement of 180 days of classroom instruction.

IV-I. Early Dismissal

1. Schools may dismiss students early when dangerous or extreme weather conditions arise. If students are dismissed early from school, determination of whether the day can be counted as a full instructional day is based on the earliest class in session within your district. Example: School is in session, and the students were released due to snow at 10:30 a.m. The earliest class started at 7 a.m. at the high school. Therefore, the entire district is credited for an instructional day, because some students were in class for the minimum three and one-half (3½) hours.
2. If a school has met the minimum requirement for half the state minimum school day and must dismiss for inclement weather, the day does not have to be made up. However, if school must be dismissed because of inclement weather prior to the school having met the half-day requirement, a stockpiled day must be used, or the entire day must be made up.
3. Students may be dismissed early for parent conferences provided that the parent conferences are scheduled in the school's master calendar and provided that the classroom instruction time is made up in full.

IV-J. Make-Up Days

1. A make-up day is an instructional day that is used to make up instructional time missed. The following methods may be used to make up a missed instructional day:
 - a. Extend the length of school day by a minimum of 30 minutes for a period adequate to accumulate the equivalent of the days lost.
 - b. Schedule classes on Saturday or Sunday.
 - c. Schedule classes on a day previously designated as a holiday.
 - d. Reduce time scheduled for spring break.
 - e. Extend the school year. (The school year may legally be extended to June 30.)
2. A district may not use study hall in order to make up instructional time.

IV-K. Assessment Accounting Procedures

1. School districts should address student absences on days used to administer state-mandated assessments in the same manner as they would address a student's failure to participate in any other mandatory activity at school by applying the district's or school's attendance policies.
2. Students shall be counted absent if they are not in attendance for at least 50 percent of the school day.
3. Days spent on state-mandated assessments are included in the required 180-day school term.

V. Documentation and Record Keeping

V-A. Documentation

The following documentation must be on file at the district central office (CO) or the individual school (IS) as indicated:

1. The LEA's attendance policies that have been approved by the local school board (CO)
2. Copies of the Academic Attendance Report and the Director's Monthly Student Membership/ Attendance Report, including all worksheets (CO)
3. Documentation (sign-in/out roster) that CTE and total students are properly counted

in compliance with the "half of the state scheduled school day" attendance policy (IS)

4. Teacher attendance records that include all absences recorded in compliance with local board policy (IS)
5. Daily absentee sheets with sign-in/out rosters attached clearly indicating those students who are present or absent for at least 50 percent of the scheduled school day (IS)
6. WBL agreements for any student who is participating in an off-site, credit-bearing WBL placement (IS)
7. Copies of all granted attendance waivers approved by the commissioner (CO)
8. Documentation indicating procedures for notifying parents and/or the attendance supervisor of students' absences (CO)
9. Sufficient documentation of reasoning for any student's withdrawal (This may include documentation provided by relatives, court documents, record requests, etc., and this documentation should be kept in the student's permanent record.) (IS)
10. Documentation that the names of students between the ages of 15 and 17 (inclusive), who do not have satisfactory academic progress or do not meet attendance standards as stated in T.C.A. § 49-6-3017, have been submitted to the Tennessee Department of Safety (IS)
11. Cumulative folder for each active student on the roll (Inactive cumulative folders are to be filed separately.) (IS)
12. A copy of the previous year's membership/attendance reports for all reporting periods (CO)

V-B. Retention of Records

The following documents must be permanently retained:

1. A cumulative folder for each student that includes:
 - a. the student's name, address, parents' names and occupations, complete school record, achievement test results, health record, school activities, and counselors' notes;

- b. a copy of the student's birth certificate, if provided;
 - c. a copy of the student's Home Language Survey, if available; and
 - d. documentation of a student's withdrawal, if applicable, including the signature of the parent of guardian requesting withdrawal, and to the extent possible, the student's future destination.
2. A file including demographic and event data for each student.

The following documents must be retained for a period of five years:

1. Director's Monthly Student Membership/Attendance Report;
2. Director's Annual Student Membership/Attendance Report;
3. Principal's Monthly Membership/Attendance Report or equivalent;
4. Monthly Attendance Detail;
5. Attendance Records;
6. Director's Report of Special Education Identified and Served Average Daily Membership by Primary and Secondary Options (EasyIEP Special Education Report); and
7. Annual Pupil Transportation Report.

V-C. Transfer of Records

Pursuant to T.C.A. § 49-6-3001(c)(1) and the Federal Family Educational Rights and Privacy Act (FERPA), if a student transfers from one school to another school in the same LEA, the LEA shall remit copies of the student's records, including the student's disciplinary records, to the school to which the student transfers. If a student transfers from an LEA to another LEA, then the LEA from which a student transfers shall remit copies of the student's records, including the student's disciplinary records, to the LEA to which the student transfers. All records shall be remitted in accordance with FERPA, compiled in 20 U.S.C. §1232g.

V-D. Student Data Privacy

Pursuant to T.C.A. § 10-7-504(a)(4), Title 49, Chapter 1, Part 7, and FERPA, personally identifiable student information must be kept confidential. Allowing student assistants or parent volunteers to handle such information violates these rules.

Provisions must be made to safeguard the confidentiality and security of all data so that only authorized personnel of the institution have access to or authority to process such information.

VI. Reporting Requirements and Additional Resources

VI-A. Reporting Requirements

1. The reports listed below shall be reported in EIS and prepared in compliance with the state reporting schedule. For more information, see [Section VII Reports](#) located on the department's EIS home page.
 - a. 200 Day Accountability Report
 - b. Annual Dropout Report
 - c. Director's Annual Membership/Attendance Report
 - d. Director's Annual Report Special Education Options by Primary and Secondary Average Daily Membership by School and District
 - e. Director's Annual Vocational Class Full Time Equivalent Average Daily Membership Report by School and District
 - f. Director's Monthly Student Membership/Attendance Report by School and District
 - g. Director's Monthly Special Education Options by Primary and Secondary Average Daily Membership by School and District
 - h. Director's Monthly Vocational Class Full Time Equivalent Average Daily Attendance Report by School and District
 - i. Director's Monthly Vocational Class Full Time Equivalent Average Daily Membership Report by School and District
 - j. End of Month Membership Report
 - k. Net Enrollment Report
 - l. Number of Promotions and Retentions Report by School and District
 - m. Preliminary School Report—Grades PK-12

- n. Preliminary Staff Report
- o. Report of 12th Graders
- p. Special Education Number of Promotions and Retentions Report
- q. Special Education Report of 12th Graders
- r. Suspension, Expulsion, and Remands Report by School and District
- s. Transportation ADT Report
- t. Roster of Graduates

VI-B. Additional Resources

- 1. The following resources shall be used in conjunction with this report:
 - a. [Section VII Reports](#)
 - b. [EIS Appendices](#)
 - c. [State Board School Attendance Policy 4.100](#)

ESSER Allocation Planning Document--January 2021

ESSER 1.0 reallocation—\$440,000 remaining

Discussion for reallocation:

Covid leave extension costs

Substitute teacher costs from Covid and teleworking

Operational loss in food service recovery due to remote learning and fewer students in school

Addressing Learning Loss

Currently a part of the legislative special session

Current bills would begin addressing in Summer 2021

Devices for student learning, teachers, and replacement needs

ESSER 2.0 Allocation— a little less than 3.5 million

- A. 1 temporary additional position to oversee management and reporting of grant funds of all ESSER funds (1.0 and 2.0) under local, state, and federal timelines--position filled July 2021-June 2023
- B. Facility improvement costs--gathering cost plan to share at the retreat
 1. Utilizing our assessments and engineers, we met with the group that assessed our facilities and provided recommendations to identify common projects in our facility plan that also address mitigation of COVID-19. Based on discussions with them, our recommendation is to prioritize the following projects: 1) HVAC systems and controls with fresh air and 2) doors and windows
 2. Would like to seek a contract with an engineering company to oversee the projects chosen and possibly a project manager to oversee the completion of the projects.
 3. The assessments for several schools showed need for HVAC controls, windows and doors, and plumbing waste, which should all be allowable under 2.0

Questions and Answers

The Elementary and Secondary School Emergency Relief (ESSER) Fund as authorized by the Coronavirus Aid, Relief, and Economic Security (CARES) Act

General CARES Act/ESSER Fund Information

1. *What is the CARES Act?*

The Coronavirus Aid, Relief, and Economic Security (CARES) Act provides an economic stimulus to individuals, businesses, and local education agencies (LEAs). Although the CARES Act releases additional supports indirectly to students, families, and educators through the Supplemental Nutrition Assistance Program (SNAP), Head Start, and childcare. This document focuses upon one of the two funding streams dedicated to K-12 education, the CARES Act § 18003 Elementary and Secondary School Emergency Relief Fund (ESSER Fund).

2. *What are the requirements to receive funding through the ESSER Fund?*

The ESSER Fund is federal education funding, and therefore the fiscal regulations of Education Department General Administrative Regulations (EDGAR) and Office of Management and Budget (OMB) Guidance apply to implementation including but not limited to procurement, record keeping, and disposition. LEAs must consult with various stakeholders at the local level, especially to ensure that the most at-risk students' needs are met—including students with disabilities, English learners, foster children, McKinney-Vento eligible children, high ability students, free/reduced eligible children, and racial and ethnic student groups.

An LEA "that receives funds under "Education Stabilization Fund", shall **to the greatest extent practicable**, continue to pay its employees and contractors during the period of any disruptions or closures related to coronavirus." (CARES Act §18006)

As part of the application for the ESSER fund, each LEA must attest that, to the greatest extent practicable, it has been paying all employees and contractors during the closure or disruptions related to the coronavirus, or that it will begin doing so immediately.

3. *Which employees and contractors does the department consider the payment provision to apply to?*

The Tennessee Department of Education (department) considers "employees and contractors" to include, but not be limited to, the following positions: teachers, administrators, counselors, social workers, nurses, paraprofessionals, bus drivers, custodians, food service, and administrative staff.

4. *Are only Title I schools eligible to receive an ESSER Fund Allocation?*

No. Even though the FY19 Title I formula dictates how much money the LEA receives, once the LEA receives funding, it may support any Title I or non-Title I school in the LEA. There are many allowable uses of funds under the CARES Act, including those allowable under Title I, Part A; Title II, Part A; Title III, Part A; Title IV, Part A; Title IV, Part B (21st Century CLC); Perkins Act, McKinney-Vento, and additional uses such as cleaning supplies, mental health supports, and summer school.

5. What are the allowable activities?

According to the CARES Act, allowable uses of funds for LEAs include but are not limited to:

- planning for long-term closures;
- addressing the unique needs of special populations;
- purchasing education technology (including hardware, software, and connectivity);
- providing summer learning and supplemental afterschool programs (including on-line learning);
- providing mental health services; or
- conducting other activities necessary to maintain operation of services, employ existing staff, and coordinate activities.

6. Do equitable services requirements apply to the ESSER Fund?

Yes. More information on equitable services requirements under the CARES Act, can be found [here](#).

7. How can an LEA apply for funding?

The ESSER Fund application is embedded in the department's online grants management system, ePlan (<https://eplan.tn.gov>). More information on how to apply can be found in the department's [ESSER Fund Technical Application Guide](#), which is available on [ePlan](#) in [TDOE Resources](#) > CARES Act > CARES Act Application Training Materials.

General CARES Act/ESSER Fund Finance

8. When will LEAs receive ESSER Fund allocations?

The U.S. Department of Education (ED) is required to provide notice of application to the department within 30 days of the CARES Act passage (March 27, 2020) and then has 30 days to approve the department's application. LEAs will have access to the ESSER Fund application in ePlan beginning **May 26**. The application will tentatively close on June 15 with applications expected to be approved by June 30, 2020.

9. Should LEAs spend local and other federal funds immediately for COVID-19 needs with expectation that they can recode expenses to these new funds once they are allocated?

Funding provided through the CARES Act is retroactive to the beginning of this crisis, **March 13, 2020**.

10. Can I charge an indirect cost rate to this grant?

Yes. Each LEA has an approved indirect cost rate with the department and may charge this rate as a budget line item in the ESSER Fund application.

11. What administrative percentage does the grant allow?

The CARES Act does not call out a specific administrative figure for LEAs but limits the department to allowing only 0.5% rate for administration. With that very low threshold for the department's statewide administration, the department would expect LEAs to limit administrative costs for the CARES Act only to what is reasonable and necessary (i.e., Point of Contact's [POC] time and effort).

LEAs should not charge more than ten percent of their allocation for administrative costs for the POC to carry out CARES Act activities, and this percentage should be less if a lower figure would be more **reasonable** and **necessary**.

12. Will the Title I set aside for school improvement be required with this funding?

While the Elementary and Secondary School Emergency Relief Funds allocates funds to state educational agencies (SEAs) and LEAs based on their Title I poverty numbers, these are not Title I funds. Therefore, the school improvement set-aside does not apply to funding provided under the Education Stabilization Act.

13. Must states and LEAs pay existing employees and contracts in order to receive ESSER Fund allocations?

CARES Act §18006 requires entities that receive Elementary and Secondary School Emergency Relief Funds or Governor’s Emergency Relief Funds to continue to pay employees and contractors “to the greatest extent practicable.” To clarify, paying employees and contractors is strongly encouraged, but it is not a prerequisite to receiving funds. Please refer to question two of this document for more information.

Questions and Answers: Elementary and Secondary Emergency School Relief Fund 2.0 (ESSER Fund 2.0)

1. When should ESSER Fund 2.0 and GEER 2.0 funds be available?

Funds are likely to be added to accounts within 30 days of enactment. The U.S. Department of Education (ED) will conduct a webinar to answer state questions on disbursement in early January. ED and the department are committed to making these funds available as soon as feasibly possible.

2. How much will local educational agencies (LEAs) receive?

UPDATE (Jan. 14.): LEAs received their allocation on Jan. 7, 2021. Allocation details can be found [here](#).

3. What are the allowable activities?

The funds can be used for all expenses previously allowed under the original ESSER Fund and two new uses, including and emphasizing:

- **NEW Addressing learning loss;**
- **NEW School facility repairs and improvements;**
- Planning for long-term closures;
- Addressing the unique needs of special populations;
- Purchasing education technology (including hardware, software, and connectivity);
- Providing summer learning and supplemental afterschool programs (including online learning);
- Providing mental health services; or
- Conducting other activities necessary to maintain operation of services, employ existing staff, and coordinate activities.

4. What are some considerations LEAs should use for initial planning?

UPDATE (Jan. 14.): These are *one-time* funds, and all LEA plans must reflect expenses that are either one-time costs (e.g., learning loss) or long-term investments (e.g., facilities). LEA applications for funding must not include recurring expenses. Though there is no supplement, not supplant requirement, LEAs should consider how budgeting these funds may impact maintenance of effort (MOE) of state and local funds.

5. What will reporting look like, and how frequently will that need to take place?

For ESSER Fund 2.0 funding, State education agencies (SEAs) are required to submit a report to the Secretary of Education providing a detailed account of funds, including how funds are used to “measure and address learning loss among students disproportionately affected by coronavirus and school closures...” The department will work with ED on clarity related to requirements for SEA and LEA reporting. At this time, the department is expected to report progress on a monthly basis. LEAs must submit monthly reports on a template provided by the department once applications have been approved.

6. How does this stimulus interact with the Basic Education Program (BEP)?

The stimulus funds are not intended to supplant planned spending. Funds must be distributed according to the Title I formula and not according to the BEP formula. As a result, use of the stimulus funds to address shortfalls in the BEP is possible, but would impact LEAs differently across the state (benefiting large, urban LEAs and disproportionately impacting many small and rural LEAs as well as suburban, small-city, and outlying LEAs).

7. Can this money be put into a fund to generate long-term benefit?

At this time, plan to allocate funds within the LEA in alignment with current federal areas of emphasis. A funding application will be available in early 2021 (estimating late February) where these plans, timelines, and budget will be reviewed and approved by the department. LEAs should consider multiple options and plan accordingly, recognizing there may be changes in federal guidance in the weeks to come.

8. Do charters have access to these funds?

Yes. Charter schools benefit from these funds like traditional public schools, and charter schools shall be served from the LEA allocation in the same manner as ESSER funds last spring.

9. Do non-public schools have access to ESSER or GEER funds?

Unlike the ESSER funds awarded last spring, there are no equitable services provisions in this second round of funding. However, part of the GEER funding is earmarked for non-public schools. The governor of each state is required to designate the SEA to administer the funds for non-public schools. The bill establishes time periods under which ED and the department must approve applications and provide services. Non-public schools seeking assistance must apply to the department.

NOTE: A non-public school seeking assistance must provide an assurance that the school has not and will not apply for and receive a Paycheck Protection Program (PPP) loan, and non-public schools should assess which program would be more beneficial as participation in both is prohibited.

10. Are there other critical pieces in the stimulus bill?

Yes. The bill covers the budget as well as relief information. There were some notable changes in grant appropriations in education, specifically Perkins and IDEA increases. In addition, there were two non-education related provisions that may impact schools and/or communities:

- **Broadband Provisions (not administered by the department but may impact families and communities):** \$3.2 billion for low-income families to access broadband through an FCC fund and a \$1 billion tribal broadband fund (which can be used for broadband deployment on tribal lands, and telehealth, distance learning, broadband affordability, and digital inclusion). The bill also establishes an Office of Minority Broadband Initiatives. Among other duties, the Office would collaborate with Historically Black Colleges and Universities (HBCUs), Hispanic Serving Institutions (HSIs), and other minority-serving institutions (MSIs) to promote broadband internet service at these institutions and surrounding communities. Additionally, the bill would establish a “Connecting Minority Communities Pilot Program.” The pilot program would be funded at \$285 million to purchase broadband internet access, related equipment or to hire and train information technology personnel at HBCUs, HSIs, and other MSIs and their surrounding communities.
- **Pandemic EBT (not administered by the department but may impact schools):** The bill allows the use of “simplified assumptions” in determining whether a school or covered childcare facility is closed or operating under reduced hours. These and other provisions were included to clarify coverage for children under six years of age in the Supplemental Nutrition Assistance Program (SNAP) households under the Pandemic EBT program.