



**Committee:** E&C  
**Committee Review:** Completed  
**Staff:** Craig Howard, Deputy Director  
**Purpose:** To receive testimony/final action - vote expected  
**Keywords:** MCPS

AGENDA ITEM #13  
June 23, 2020  
**Public Hearing/Action**

## **SUBJECT**

Special Appropriation to the FY20 Operating Budget, Montgomery County Public Schools, \$24,768,196 for the CARES Act Elementary and Secondary School Emergency Relief Fund (Source of Funds: Federal Grant)

## **EXPECTED ATTENDEES**

None

## **COUNCIL DECISION POINTS & COMMITTEE RECOMMENDATION**

The Education and Culture Committee is scheduled to hold a worksession on this special appropriation on June 22.

## **DESCRIPTION/ISSUE**

The County Council will hold a public hearing and consider action on a special appropriation to the FY20 Operating Budget, Montgomery County Public Schools, \$24,768,196 for the CARES Act Elementary and Secondary School Emergency Relief (ESSER) Fund Grant. The source of funds is a United States Department of Education grant.

## **SUMMARY OF KEY DISCUSSION POINTS**

- The Board of Education requested this appropriation on June 11, and the Council introduced the appropriation on June 16.
- Montgomery County Public Schools has received notice from the State that it will receive \$24,768,196 in CARES Act emergency relief funding in FY20. Under ESSER Under ESSER, the United States Department of Education awarded grants for the purpose of providing Local Educational Agencies (LEAs) with emergency relief funds to address the impact that the Novel Coronavirus Disease 2019 (COVID-19) has had, and continues to have, on elementary and secondary schools across the nation. LEAs must provide equitable services to students and teachers in non-public schools from the ESSER Fund as required by provisions in the CARES Act.
- MCPS will use ESSER funds to extend access to interventions, special education services, assistive technology tools, and increased technology options for students with disabilities during distance learning. In addition, these funds will be used to purchase supplemental instructional materials and assessments to support the instruction of English for Speakers of Other Languages students, and to support efforts to increase the number of English learners attaining proficiency in academic English, reading/language arts, and mathematics. Finally, MCPS will use these funds to ensure equity of access, including internet and devices, for all staff and students who need it in order to effectively engage in remote learning experiences.

**This report contains:**

June 22, 2020 Education and Culture Committee Staff Report	1-2
Draft Special Appropriation Resolution	©1-2
Board of Education Request (June 11, 2020)	©3-6

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**M E M O R A N D U M**

June 17, 2020

TO: Education and Culture Committee

FROM: Craig Howard, Deputy Director

SUBJECT: **Special Appropriation to the FY20 Operating Budget, Montgomery County Public Schools, \$24,768,196 for the CARES Act Elementary and Secondary School Emergency Relief Fund**

PURPOSE: Review special appropriation and make Committee recommendation

**Expected Participants:**

- Dr. Jack Smith, Superintendent of Schools
- Dr. Monifa McKnight, Deputy Superintendent of Schools
- Dan Marella, Chief Financial Officer, MCPS

**Background**

Montgomery County Public Schools has received notice from the Maryland State Department of Education (MSDE) that it will receive \$24,768,196 in CARES Act emergency relief funding in FY20 through the Elementary and Secondary School Emergency Relief (ESSER) Fund, with a share provided to private schools based on the same methodology used to determine their share of Title I funding.

Initially, MSDE guidance was that ESSER funds could be classified and booked in either FY20 or FY21. However, on June 9 MSDE changed its guidance and informed school districts that the funds must be booked in FY20. The Board of Education requested this appropriation on June 11, and the Council introduced it on June 16. A draft special appropriation resolution is available at ©1-2. The Council is tentatively scheduled to hold a public hearing and consider action on this appropriation on June 23.

**Discussion**

Under ESSER, the United States Department of Education awarded grants for the purpose of providing Local Educational Agencies (LEAs) with emergency relief funds to address the impact that the Novel Coronavirus Disease 2019 (COVID-19) has had, and continues to have, on elementary and secondary schools across the nation. LEAs must provide equitable services to students and teachers in non-public schools from the ESSER Fund as required by provisions in the CARES Act.

MCPS will use ESSER funds to extend access to interventions, special education services, assistive technology tools, and increased technology options for students with disabilities during distance learning. In addition, these funds will be used to purchase supplemental instructional materials and assessments to support the instruction of English for Speakers of Other Languages students, and to support efforts to increase the number of English learners attaining proficiency in academic English, reading/language arts, and mathematics. Finally, MCPS will use these funds to ensure equity of access, including internet and devices, for all staff and students who need it in order to effectively engage in remote learning experiences.

As part of its deliberations on MCPS' FY21 operating budget, the Council anticipated that MCPS would receive funding through the CARES act to help address expenditures that have arisen due to the COVID-19 health pandemic.

### **Staff Recommendation**

Staff suggests that the Committee recommend approval of this special appropriation.

Resolution No.: \_\_\_\_\_  
Introduced: June 16, 2020  
Adopted: \_\_\_\_\_

**COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND**

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By: County Council

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**SUBJECT:** Special Appropriation to the FY20 Operating Budget  
Montgomery County Public Schools  
CARES Act Elementary and Secondary School Emergency Relief Fund  
\$24,768,196  
Source of Funds: United States Department of Education

**Background**

1. Section 308 of the County Charter provides that a special appropriation is an appropriation which states that it is necessary to meet an unforeseen disaster or other emergency, or to act without delay in the public interest. Each special appropriation shall be approved by not less than six Councilmembers. The Council may approve a special appropriation at any time after public notice by news release. Each special appropriation shall specify the source of funds to finance it.
2. The Board of Education has requested a special appropriation of \$24,768,196 for the Montgomery County Public Schools' FY20 Operating Budget for a CARES Act, Elementary and Secondary School Emergency Relief Fund Grant from the United States Department of Education:

<u>Personnel</u> <u>Services</u>	<u>Operating</u> <u>Expenses</u>	<u>Capital</u> <u>Outlay</u>	<u>Total</u>	<u>Source</u> <u>of Funds</u>
\$13,076,375	\$11,691,821	\$0	\$24,768,196	Federal Grant

3. This appropriation is needed to provide spending authority for the use of grant funds received from the United States Department of Education under the Coronavirus Aid, Relief, and Economic Security (CARES) Act. As a grant award, there is no effect on the County's current or future maintenance of effort requirements.
4. Notice of public hearing was given and a public hearing was held.
5. The County Council declares this request is in the public interest to be acted upon without delay as provided for under special appropriation requirements described in Article 3, Section 308 of the Montgomery County Charter.

**Action**

The County Council for Montgomery County, Maryland approves the following resolution:

A special appropriation to the FY20 Operating Budget of the Montgomery County Public Schools is approved as follows:

<u>Personnel Services</u>	<u>Operating Expenses</u>	<u>Capital Outlay</u>	<u>Total</u>	<u>Source of Funds</u>
\$13,076,375	\$11,691,821	\$0	\$24,768,196	Federal Grant

This is a correct copy of Council action.

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Selena Mendy Singleton, Esq.  
Clerk of the Council

Office of the Superintendent of Schools  
MONTGOMERY COUNTY PUBLIC SCHOOLS  
Rockville, Maryland

June 11, 2020

MEMORANDUM

To: The Honorable Marc Elrich, County Executive  
The Honorable Sidney A. Katz, President,  
Montgomery County Council

From: Jack R. Smith, Superintendent of Schools 

Subject: Transmittal of Board of Education Agenda Item #9.22

Recommended Fiscal Year 2020 Supplemental Appropriation for the Elementary and Secondary  
School Emergency Relief Fund

BOE Meeting Date:	June 11, 2020
Amount:	\$24,768,196
Type of Action:	Approval

JRS:DKM:jp

Attachment

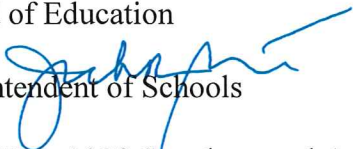
Copy to:  
Mr. Marella  
Montgomery County Office of Management and Budget

Office of the Superintendent of Schools  
MONTGOMERY COUNTY PUBLIC SCHOOLS  
Rockville, Maryland

June 11, 2020

MEMORANDUM

To: Members of the Board of Education

From: Jack R. Smith, Superintendent of Schools 

Subject: Recommended Fiscal Year 2020 Supplemental Appropriation for the Elementary and Secondary School Emergency Relief Fund

**Recommendation in Brief**

Authorization is requested to receive and expend, subject to County Council approval, a Fiscal Year 2020 supplemental appropriation of \$24,768,196 for the Elementary and Secondary School Emergency Relief Fund (ESSER). The ESSER Fund was included in the *Coronavirus Aid, Relief, and Economic Security Act* (CARES) that was signed into law on March 27, 2020. Under ESSER, the United States Department of Education awarded grants for the purpose of providing Local Educational Agencies (LEAs) with emergency relief funds to address the impact that the Novel Coronavirus Disease 2019 (COVID-19) has had, and continues to have, on elementary and secondary schools across the nation. LEAs must provide equitable services to students and teachers in non-public schools from the ESSER Fund as required by provisions in the CARES Act.

**Background**

The outbreak of the COVID-19 pandemic has had a major impact on Montgomery County Public Schools (MCPS) and its ability to provide teaching and learning to its students. As a result of the pandemic and in compliance with Governor Lawrence J. Hogan's and Maryland State Superintendent of Schools Karen B. Salmon's direction, MCPS closed its school buildings beginning March 16, 2020, and will not reopen buildings for the remainder of the 2019–2020 school year. As a result, MCPS has had to institute a continuity of learning plan that relies on distance learning for the remainder of the school year as well as prepare for summer school and the 2020–2021 school year.

Section 18003(d) of Division B of the CARES Act provides for 12 allowable uses of the ESSER funding. These uses include (1) activities to address the unique needs of low-income children



or students, children with disabilities, English learners, and racial and ethnic minorities; (2) training and professional development for staff; (3) purchasing educational technology; and (4) planning and implementing activities related to summer learning and supplemental afterschool program.

### **Support of Board of Education Mission**

MCPS will use ESSER funds to extend access to interventions, special education services, assistive technology tools, and increased technology options for students with disabilities during distance learning. In addition, these funds will be used to purchase supplemental instructional materials and assessments to support the instruction of English for Speakers of Other Languages students, and to support efforts to increase the number of English learners attaining proficiency in academic English, reading/language arts, and mathematics. Finally, we will use these funds to ensure equity of access, including internet and devices, for all staff and students who need it in order to effectively engage in remote learning experiences.

### **Use of Funds**

Funds will be used to provide for:

- Non-position Instructional Salaries;
- Purchase of Technology Support and Resources;
- Special Education Instructional and Technology Support and Resources; and
- Associated Employee Benefits

### **Recommended Resolution**

WHEREAS, Montgomery County Public Schools has received notification from the Maryland State Department of Education that it will receive \$24,768,196 for the Elementary and Secondary School Emergency Relief Fund established in the *Coronavirus Aid, Relief, and Economic Security Act*; and

WHEREAS, The *Coronavirus Aid, Relief, and Economic Security Act* requires that local education agencies provide equitable services to students and teachers in non-public schools based on provisions included in the act; now therefore be it

Resolved, That the superintendent of schools be authorized to receive and expend, subject to County Council approval, a Fiscal Year 2020 supplemental appropriation of \$24,768,196 for the Elementary and Secondary School Emergency Relief Fund in the following categories:

<u>Category</u>	<u>Positions</u>	<u>Amount</u>
03 Instructional Salaries	-	\$10,125,222
04 Textbooks and Instructional Supplies	-	11,691,821
06 Special Education	-	2,191,153
12 Fixed Charges	-	760,000
<u>Total</u>	-	<u>\$24,768,196</u>

and be it further

Resolved, That a copy of this resolution be forwarded to the county executive and County Council;  
and be it further

Resolved, That the county executive be requested to recommend approval of this resolution to the County Council.

JRS:DKM:TPK:jp