

Health and Economic Recovery Omnibus Emergency Solutions (HEROES) Act

Summary of K–12 Education Provisions



STATE FISCAL STABILIZATION FUND. \$90 billion distributed to Governors, including

- \$58 billion for K–12 local educational agencies;
- \$27 billion for public institutions of higher education (*plus an additional \$10 billion for higher education, including \$1.7 billion for historically black colleges and universities and minority serving institutions*);
- \$4 billion for governors to support K–12, higher education and related activities; and
- \$450 million each for the Bureau of Indian Education and outlying areas.

EMERGENCY CONNECTIVITY FUND. \$1.5 billion, through the Federal Communications Commission, to help schools and libraries connect students to the internet, including by purchasing hotspots, devices, and equipment

Distribution of Stabilization Funds to Governors and to Local Educational Agencies. The amount of funding each state receives will be based 61% on the state’s relative share of the population aged 5–24 and 39% on the state’s relative number of low-income children (i.e., eligible children under Title I of the Every Student Succeeds Act).

Of the funds each governor receives, 65% must be distributed to K–12 school districts based on their relative share of Title I funding; there is no reservation for state departments of education.

Uses of Stabilization Funds. Districts can use funds for any allowable purpose under the Every Student Succeeds Act, Individuals with Disabilities Education Act, Carl D. Perkins Career and Technical Education Act, McKinney-Vento Education for Homeless Children and Youth Act, Native Hawaiian Education Act, Alaska Native Educational Equity, Support, and Assistance Act, and Adult Education and Family Literacy Act, including

- Activities to address the needs of low-income students, children with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and foster care youth, including learning gaps created or exacerbated due to long-term school closures;
- Purchasing educational technology (including internet connectivity as well as assistive technology or adaptive equipment) and providing professional development related to virtual learning;
- Offering summer learning programs, either online or in-person; and
- Implementing activities to maintain the operation and continuity of services and to employ existing staff (to receive funds, districts must, to the greatest extent practicable, continue to pay employees and contractors).

Maintaining State Funding. To receive stabilization funds, states must give “assurances” that they will provide at least as much funding:

- For K–12 and higher education, as a percentage of total state spending, in fiscal years 2020, 2021, and 2022 as they did in fiscal year 2019.
- For K–12 and higher education, respectively, in fiscal years 2020, 2021, and 2022 as the average funding level across the previous three fiscal years.
- For higher education, per full-time equivalent student, in fiscal year 2022 as in fiscal year 2019.

Reactions to Coronavirus Aid, Relief, and Economic Security (CARES) Act Implementation. The HEROES Act:

- Eliminates authority under the CARES Act for ED to provide grants to states with the highest coronavirus burden; ED had [proposed](#) to use these funds, in part, for “micro-grants” to students and families to purchase educational services, including from private providers.
- Clarifies that [equitable services](#) to non-public school children under the CARES Act must be provided only to students who are eligible for equitable services under Title I of ESSA, not all private school children.
- Includes new limitations on the Secretary’s ability to establish priorities, preferences, or restrictions on the use of funds that are not outlined in the HEROES Act.

The full text of the HEROES Act is available [here](#).