

Note: This document briefly summarizes provisions in the Coronavirus Aid, Relief, and Economic Security Act (“the CARES Act”) that could possibly be of interest to church plans, ministries and plan members. This summary reflects those CARES Act provisions as they are currently understood on March 31, 2020, without any agency guidance. As guidance is issued that may be applicable, we plan to provide information to you on that guidance or to refer you to that guidance, but may not be able to update the summary with that information. This summary is for general information only. It is not a complete analysis and should not be relied upon as legal advice.

HHS and Department of Education Funding

Quick Summary (read below for details)

- The Act appropriates \$13.5 billion to states to help schools respond to coronavirus related closures
- Non-public schools are eligible for the funding
- Funding decisions will be made on the state level

The CARES Act appropriated funds for various other programs that may be of interest to the religious organizations we serve. We have listed the most notable:

Department of Health and Human Services-Administration for Children and Families

- Child Care and Development Block Grant – \$3.5 billion was appropriated for grants to states for immediate assistance to childcare providers to prevent them from going out of business and otherwise support child care for families
- Community Services Block Grant – \$1 billion was appropriated in direct funding to local community-based organizations to provide a wide range of social services and emergency assistance

Department of Education

- Elementary and Secondary Education – \$13.5 billion was appropriated in formula funding for states to help schools respond to coronavirus and related school closures, meet immediate needs of students and teachers, improve the use of education technology, support distance education and make up for lost learning time.
- Religious and other private schools are eligible for funding from this program based on the following section of the CARES Act:

*“ASSISTANCE TO NON-PUBLIC SCHOOLS
SEC. 18005.*

(a) IN GENERAL. – A local educational agency receiving funds under sections 18002 or 18003 of this title shall provide equitable services in the same manner as provided under section 1117 of the ESEA of 1965 to students and teachers in nonpublic schools, as determined in consultation with representatives of non-public schools.

(b) PUBLIC CONTROL OF FUNDS. – The control of funds for the services and assistance provided to a non-public school under subsection (a), and title to materials, equipment, and property purchased with such funds, shall be in a public agency, and a public agency shall administer such funds, materials, equipment, and property and shall provide such services (or may contract for the provision of such services with a public or private entity).”

- State Flexibility Funding – \$3 billion was appropriated in flexible formula funding to be allocated by states based on the needs of their elementary and secondary schools and institutions of higher learning. Religious and other private schools are eligible for this funding, under section 18005, shown above. The CARES Act specifically states that the state flexibility funds may be used to “provide support to any other ... education related entity within the State that the Governor deems essential for carrying out emergency educational services to students” and that such uses include “the protection of education-related jobs.”

- Project SERV [*sic*] – \$100 million was appropriated in targeted funding for elementary and secondary schools and institutions of higher learning to respond to the immediate needs of coronavirus and the effect on students.
- Higher Education – \$14.2 billion was appropriated in funding to institutions of higher education to directly support students facing urgent needs related to coronavirus, and to support institutions as they cope with the immediate effects of the virus and school closures. This provides targeted formula funding to institutions of higher education, as well as funding for minority serving institutions and HBCU's.