



May 7, 2021

Puerto Rico 45-day Initial GEER Report and Clarifications- PR/Award Number S425C200047

1. Please describe the State's process for awarding GEER funds to LEAs, IHEs, and/or other education-related entities, including:

a. Timeline(s) for awarding GEER funds to LEAs, IHEs, and/or other education-related entities

The CARES Act established federal education assistance programs tasked with ensuring that states and schools have the support needed to effectively and safely operate during the COVID-19 health pandemic. Subsequently, the passage of the Coronavirus Response and Relief Supplemental Appropriations Act of 2021 ("CRRSA Act") provided Puerto Rico with additional funding to achieve these goals under various programs. Under the Governor's Emergency Education Relief Fund ("GEER"), I and II, Puerto Rico has been awarded, \$47,812,236 and \$125,990,797, respectively.

The GEER I funds became accessible to Puerto Rico on March 23, 2021, and Puerto Rico projects to award at least GEER I funds to the Puerto Rico Department of Education ("PRDE") on or before September 30, 2021. PRDE is the only SEA/LEA entity in Puerto Rico. These funds will only be awarded after the corresponding administrative procedures are carried out.

The Government of Puerto Rico, working with the Puerto Rico Department of Education, has established preliminary timelines for the programs identified in its Initial 60-Day Strategic Disbursement Plan submitted to the U.S. Department of Education ("USDE") on March 5, 2021.

The four programs are:

- **Television Learning Program:** Provide distance learning educational services through the medium of television. A collaboration will be made between PRDE and the Puerto Rico Corporation for Public Broadcasting (WIPR) to develop and deliver weekday programming that will be used to provide remedial learning to students of all ages, including students in special education.
- **Special Education:** Provide remedial educational services to students with learning disabilities from schools in the community
- **Incentive Payments:** Provide incentives to all full-time classroom teachers employed by PRDE to complete a series of courseware intended to strengthen teacher awareness, use of best practices, and adoption of innovations in remote learning to better serve their students.
- **Educational Services in the Local Community:** provide support to nonprofit, education-related entities that the Governor considers essential to carrying out emergency educational and support services that allow students to continue learning and thriving through the COVID-19 emergency.

The preliminary timelines presented below for each of these four programs are **subject to revision based upon emerging factors** that may affect alignment with Puerto Rico's ongoing educational priorities, with an emphasis on those populations most significantly impacted by COVID-19 and those essential for delivery of emergency educational services.

Television Learning Program	
Brief: to provide distance learning educational services through the medium of television. A collaboration will be made between PRDE and the Puerto Rico Corporation for Public Broadcasting (WIPR) to develop and deliver weekday programming that will be used to provide remedial learning to students of all ages, including students in special education.	
Milestone Description	Completion Date
Procurement: PR will complete all procurement procedures required for this transaction	July 1, 2021
Agreement preparation: PR will prepare the agreement with all clauses and conditions that will govern the contractual relation	July 23, 2021
Required Authorizations: PR will seek previous authorizations required depending on the agreement amount to comply with state and federal regulations	August 6, 2021
Execution: The agreement will be signed by both parties involved to award the funds to the entity to carry out the activities of this initiative	August 20, 2021

Special Education:	
Brief: Provide remedial educational services to students with learning disabilities from schools in the community	
Milestone Description	Completion Date
Administrative procedures: The Office of the governor will estimate the funds needed to complete this program	June 11, 2021
Subaward agreement with PRDE: The Office of the Governor will award PRDE the funds needed for this program and both parties will agree to perform under the conditions established	June 18, 2021
Required authorizations: PRDE will work with the request of authorization to the PR Office of Management and Budget (OMB) for the temporary positions needed	July 16, 2021
Hiring procedures: Once the PR OMB grant the authorization to the PRDE, the Agency will begin with the call to hire the 675 teachers, assistants, and school directors needed	July 23, 2021
Contract signing: PRDE will be in charge of completing the hiring of all personnel needed.	October 31, 2021

Incentive payments	
Brief: Provide incentives to all full-time classroom teachers employed by PRDE to complete a series of courseware intended to strengthen teacher awareness, use of best practices, and adoption of innovations in remote learning to better serve their students.	
Milestone Description	Completion Date
Eligibility Criteria: Determination of all eligibility criteria to provide the incentives to teachers	June 11, 2021
Request of information from the PRDE: Request and receive the information of the full-time teachers from the PRDE	June 18, 2021
Compliance with eligibility criteria: Verification that the teachers complied with all eligibility criteria and certifications established	October 31, 2021
Processing of payment: Process the incentive payments to eligible teachers	November 19, 2021

Educational services in the local community	
Brief: Provide support to nonprofit, education-related entities that the Governor considers essential to carrying out emergency educational and support services that allow students to continue learning and thriving through the COVID-19 emergency.	
Milestone Description	Completion Date
Open Application Period: Open notice for eligible entities to participate and apply for GEER funds	June 1, 2021
Close Application Period: End date for eligible entities to apply	June 18, 2021
Evaluate Applications: Complete review and Advisory Panel recommendations of applications	June 28, 2021
Committee Certifications: Certify Advisory Panel recommendations of recommended awards with the Committee	June 30, 2021
Notify Recipients: Communicate awards to the recipients	July 1, 2021
Agreement Preparation: Puerto Rico will prepare grant agreements with all clauses and conditions that will govern the contractual relation	July 1, 2021
Required Authorizations: Puerto Rico will seek required authorizations, depending on the agreement amount, to comply with state and federal regulations	July 7, 2021
Agreement Execution: Agreements will be executed by all parties allowing award recipients to implement the activities established in their proposals	July 9, 2021

b. The criteria, process and deliberations you use to determine which LEAs, IHEs, and/or other education-related agencies are:

- i. "Most significantly impacted by coronavirus;" and/or***
- ii. "Essential" for carrying out emergency educational services***

Puerto Rico, like the majority of jurisdictions in the United States and other Countries around the world, is experiencing an unprecedented emergency as a consequence of the Coronavirus Disease 2019 (COVID-19) pandemic. Since the beginning of the emergency, the Government of Puerto Rico has implemented measures to address the emergency including imposing curfews and mandatory lockdowns. As the disease continued to spread across Puerto Rico, these emergency restrictions were extended.

Within the island-wide lockdowns, the Government of Puerto Rico was forced to close schools, Institutions of Higher Education, and other education related entities. This closure meant Puerto Rico had to shift from in-person services to fully remote learning. This transition to remote learning, which required time and preparations, allowed Puerto Rico to continue offering educational services while avoiding the spread of COVID-19. This shift to remote learning forced educational institutions to make necessary educational investments that had not previously been budgeted, and this change in approach increased costs for all sectors.

Taking the into consideration the emergency consequences and the flexibility given to the Governor to assign the funds, the Government of Puerto has continued to evaluate necessary areas for investment. To determine necessity, the following factors have been used:

- Subgroups most impacted by COVID-19
- Amount of supplemental aid available to entities
- Academic lag of students directly related to the loss of learning time
- Parental educational needs related to use of new technological infrastructure for academic purpose
- Need of innovational alternatives for public, private and charter school students and teachers, among others

c. The funding mechanisms (e.g., grants, contracts) the State will use to provide GEER funds to LEAs, IHEs, and/or other education-related entities; and

The Governor plans that his office will award a subgrant to PRDE to carry out some initiatives. Initially, the Governor plans to employ a competitive application process and execute subgrant agreements with other education-related entities that are instrumental to local communities. These grant funds will empower the local educational entities to address their local, community specific needs. This last process main goal is to provide support to nonprofit, education-related entities that the Governor considers essential to carrying out emergency educational and support services that allow students to continue learning and thriving through the COVID-19 emergency. These programs seek to impact all students and their families, including students with disabilities and from low-income families. Funds will be awarded in the form of grants through a rigorous and continuous application, evaluation, and award oversight process.

d. Any specific funding conditions or requirements the State will place on awards to ensure the funds are spent for specific purposes or activities.

Entities receiving GEER funds must:

- Commit to abiding by the terms and conditions of a Grant Agreement/Contract, including reporting schedule, requests for documentation, and auditing requests.
- Agree to return the Grant funds, if it is determined that they did not comply with any of the Program eligibility requirements or if the Grant funds were not spent on eligible expenses.
- Agree that while receipt of other funds for COVID-19 related assistance does not preclude an Applicant from receiving Grant funds under the Program, only expenses that, 1) have not been covered or reimbursed, and 2) will not be covered in the future, by other state, federal, or private insurance programs that the Applicants may have, including funds received through the CARES Act's Public Health and Social Services Emergency Fund are eligible for consideration.
- Agree to broad local governmental terms and conditions applicable to all agreements.

Additionally, entities receiving GEER funds must agree only to expend on allowable expenses under this award. Allowable expenses include, but are not limited to:

- Support for the continuation and/or expansion of initiatives to provide access to quality digital or remote education
- Support to provide, encourage, and improve digital remote learning that can serve all students, including students with disabilities and students from low-income families
- Support for initiatives aimed at reducing the digital divide between different socio-economic sectors
- Support to ensure emotional well-being for students, teachers and families who have been affected as a result of health emergencies and natural disasters
- Support to educational entities and people who are part of these entities to strengthen their ability to be prepared to face and constructively manage the diversity of challenges arising from unexpected changes and disruptions in teaching-learning processes
- Strengthen the provision of educational services aimed at risk communities in order to reduce the academic gap that has increased with the chain of consecutive interruptions to formal education processes, as a result of hurricanes (2017), earthquakes 2019-2020 and the COVID-19 emergency
- Enriching experiences for students of all levels to strengthen literacy skills
- Support to educational initiatives that promote democratic citizenship, social justice, solidarity, and peace
- Support for the cultivation of the arts as an integral dimension of human training and as a means of strengthening student academic performance
- Support for sports and other body movement activities that promote health and healthy coexistence
- Necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19)

Furthermore, entities must avoid using GEER funds on unallowable expenses. These unallowable expenses will be determined by the Committee, the U.S. Department of Education, the Office of Elementary & Secondary Education, the Office of the Inspector General (OIG), and other regulatory bodies, and under this award include, but are not limited to:

- Necessary expenses that have been covered or reimbursed, or that will be covered in the future, by other state, federal, or private insurance programs that the Applicant may have, including funds received through the CARES Act's Public Health and Social Services Emergency Fund
- Employee bonuses, except for overtime and hazard pay
- Severance pays
- Executive bonuses, debt refinancing, or other expenses that are determined to be unnecessary for continued operations in the COVID-19 environment.

In the case of applicants, they must meet the following eligibility criteria:

- Be a non-profit educational institution that currently serves at least one of the following:
 - Children between the ages of 0 to 24 years old
 - Children aged 0 to 17 whose family live below the poverty line
 - Children, and other young people, who have been abandoned or who have criminal records
 - Children, and young people, who receive support in publicly funded foster homes, irrespective of the level of poverty
 - Relatives, or other caregivers, of children and young people up to 24 years of age
 - Teachers of children and young people up to the age of 24
- Provide services that support preschool, elementary, or secondary education
- Provide a needs study indicating that the Applicant has been significantly affected by COVID-19 and/or an explanatory document on how the product or service may be essential for the provision of emergency educational services and beyond the emergency, for the continuity of educational processes
- Demonstrate its ability to continue education remotely
- Describe how it has implemented, or began implementing, remote digital education
- Provide information of the educational services it offers, how many students participate in its services, how many employees they have on the payroll, how many contractors they have contracted and serving in various efforts necessary to carry out digital remote education initiatives
- Submit a work plan on how it will use the funds to provide access to digital remote education
- Submit a complete and accurate Application prior to the deadline

Every beneficiary of GEER Funds must agree to cooperate with reporting and audit requirements of the Government of Puerto Rico to ensure that said funds were used in accordance with applicable laws and regulations. If any irregularity or fraud is detected, an appropriate referral will be made to the appropriate federal or Government of Puerto Rico agency, and will be subject to recoupment of funds and/or other penalties.

2. Describe the system of internal controls the State will use to ensure that GEER funds are expended for allowable purposes and in accordance with cash management principles and the Uniform Guidance. See 2 CFR §200.303.

Under the guidance provided by the U.S. Department of Education, the Government of Puerto Rico is operating under the oversight of a Third-Party Fiduciary Agent (TPFA), which is responsible for oversight of any programs under GEER I or II. To monitor the expeditious processing of GEER Fund disbursements while ensuring adherence with the strictest standards as detailed in this Plan, the Governor's office will work with the TPFA, PRDE, and other key stakeholders. AAFAF and the TPFA will provide financial oversight to ensure the overall financial integrity of the Program.

As part of the Governor's commitment to transparency and fiscal responsibility, periodic reports will be published of the use and disbursement of the GEER Funds. Said report will be published on AAFAF's website.

The Government of Puerto Rico will comply with all reporting requirements including those in Section 15011 (b)(2) of Division B of the CARES Act and submit required quarterly reports to the U.S. Secretary of Education, at such time and in such manner and containing such information as the Secretary of Education may reasonably require in the future.

3. If GEER funds are being awarded or used for payments to SEA or IHE administrators, executives, and/or state or local teachers' unions or associations, please describe your process for reporting the amount of funds used for this purpose, and how the funds are consistent with allowable uses of funds under section 18002(c) of the CARES Act.

Puerto Rico does not plan to award or use funds for the purposes above stated.

4. If you intend to provide GEER funds to LEAs, please describe the process you will use to ensure that LEAs receiving GEER funds provide equitable services to students and teachers in non-public schools located within the LEA in the same manner as provided under section 1117 of the ESEA.

As part of the subaward agreement with PRDE, the Government of Puerto Rico will require timely engagement and meaningful consultation with nonpublic school leaders to ensure PRDE complies with the equitable services provision. PRDE must provide evidence of the consultation efforts with non-public entities including the consultation procedures and the list of schools engaged in the discussions. PRDE will calculate the equitable share allocated to each nonpublic school and will notify them of the opportunity to participate. PRDE will also provide all technical assistance needed. Furthermore, the PRDE Ombudsman will ensure that equitable services are provided and will resolve in case of disputes. The Government of Puerto Rico will retain possession of all funds to nonpublic schools and will work with the nonpublic schools to ensure proper use of funds.