



June 8, 2020

Dr. Jennifer McCormick, Superintendent of Public Instruction
Indiana Department of Education
South Tower, Suite 600
115 W. Washington Street
Indianapolis, IN 4620

Re: Distribution of COVID-19 Relief Funds Under the CARES Act

Dear Dr. McCormick,

The Indiana State Conference and the Greater Indianapolis Branch of the National Association for the Advancement of Colored People (NAACP) thank you for rejecting the second set of guidelines for COVID-19 dollars issued by U.S. Secretary of Education Betsy DeVos. At a time when racial disparities in our society have led to mass protests, these guidelines would have allowed private schools to receive an inequitable per-pupil distribution of the \$215 million in COVID-19 relief funds for K-12 students. According to *Chalkbeat Indiana*, the DeVos guidelines “would have tripled the amount of Indiana’s \$215 million federal relief that flows to private schools – from a combined \$4.9 million statewide to \$15.4 million.”

“Secretary DeVos’ guidance contradicts the clear requirement of the CARES Act,” said Victor Goode, National NAACP Assistant General Counsel. “Her guidance is a switcheroo. A game of three-card monte. It is part of her continuing efforts to use hard-earned taxpayer funds for her privatization agenda while public school districts continue to be underfunded. I commend the State Superintendent for just saying no. Education policy and implementation is not independent of elections. So, as we together fight for fair and safe elections, register, vote, and get others to do likewise in the coming local, state, and national elections.”

We recognize that private schools and their supporters desire to receive more of these monies despite the inequities this would further exasperate. Certainly, all students have been affected in some manner by the virus. However, current and historical data show that students of public schools and students of private schools are not equal in their access to resources necessary to mitigate this virus or any other sudden catastrophe befalling all families.

The State of Indiana has already allocated CARES Act funds to school districts to support the needs of Title I students impacted by the COVID-19 virus. The original directive from the U.S. Department of Education was to distribute the dollars based on the current Title I formula for schools. As is the case with the States’ yearly Title I Budgets, public school districts always provide Equitable Services for Title I eligible students in private schools. The private schools need only to apply to their designated public

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school district for support and services. The original 2020 COVID directive from DeVos allows for that same feature.

According to an April 2020 study by the non-profit educational assessment provider NWEA,¹ students in public school districts will likely demonstrate a 30% loss in Language Arts and a 50% loss in Math, because they lack needed resources during this period associated with the COVID-19 virus. To provide opportunities for continued student learning, school districts have had to provide newly designed lessons and other needed materials, media devices, and wi-fi stations, some of which were located in school parking lots and had to be accessed by students while they sat in their cars. Such action by districts has placed a huge strain on their already limited budgets. Even with that, many students still work without electronic devices, forcing them into an inequitable learning position of completing paper packets of materials.

According to the U.S. Department of Education's website, the purpose of Title I dollars is, and has always been, to meet the "education needs of low-achieving children in our highest-poverty schools, limited English proficient children, migratory children, children with disabilities, Indian children, neglected or delinquent children, and young children in need of reading assistance; closing the achievement gap between high-and low-performing children, especially the achievement gaps between minority and non-minority students, and between disadvantaged children and their more advantaged peers; distributing and targeting resources sufficiently to make a difference to local educational agencies and schools where needs are greatest."

To implement the Indiana Every Student Succeeds Act (ESSA), Indiana has set a goal to reduce by 50% the existing and persistent achievement gap for specified student groups by the year 2023. We believe CARES Act funds should be used to help close these gaps for identified students. Therefore, it would have been improper and unjust for the State of Indiana to have used those funds for any other purpose than its original intent, according to the Title I guidelines and its predetermined formulas.

While we agree with your decision, the NAACP is also quite concerned that the funds should be equitably distributed among all eligible schools and that those funds should be used by schools to close the persistent and appalling academic achievement gap. These COVID dollars are a welcomed source of revenue, but they do not replace what the state must continue to do to close any of its students' existing and further widening gaps. The NAACP will monitor the equitable distribution, transparency, and appropriate use of CARES Act funding by each school district around the state and all other federal and state funding in the days ahead.

Sincerely,

Barbara Bolling-Williams

Barbara Bolling-Williams, President
Indiana State Conference



Chrystal M. Ratcliffe, President
Greater Indianapolis Branch #3053

cc: The Honorable Eric Holcomb, Governor of Indiana
B.J. Watts, Chairman, State Board of Education

¹ Kaufield M. & Tarasawa, B, (April 2020). *The COVID-19 slide: What summer learning loss can tell us about the potential impact of school closures on student academic achievement*. NWEA Research Brief, p. 2. Retrieved from: https://www.nwea.org/content/uploads/2020/05/Collaborative-Brief_Covid19-Slide-APR20.pdf