Federal Policy Update

Texas School Alliance

July 19, 2022

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Overview

- The Federal Context
- IDEA Full Funding
- Ed Tech
- Safer Communities Act
- ARP and School Construction/HVAC
- Infrastructure/Electric School Buses
- School Nutrition
- PSLF/Teacher Shortage

Federal Context

- **It's a midterm election year. Everything can be a political football.**
- **There is SO. MUCH. GOING. ON.**
  - School meal waivers
  - Uvalde School/Gun Safety Package
  - Title IX Regulations
  - SCOTUS: Kennedy and Carson
  - SCOTUS: Dobbs and nomination
- **So much of what we need done depends on how other—seemingly completely unrelated—things shake out:**
  - What can be done before elections?
  - Congressional maps
  - January 6 Committee
  - COVID Fatigue
- **While still being real about what you're facing:**
  - COVID Response and Recovery
  - Staff burnout and shortages
  - Decreased level of support for public education

IDEA Full Funding

- IDEA remains critically underfunded
- Congress made an important and bold investment through ARP, increasing IDEA by $2.5 b to $15.5 b (15.5%).
- FY22 funding failed to maintain that level (federal share dropped back down to just over 13%)
- FY23 requests are ambitious, but unlikely
- IDEA Full Funding Act (S 3213 /HR 5984)

IDEA Federal Shortfall Per Pupil, By State

	Actual Appropriation	Full Funding Estimate	Funding Gap/Cost Shift	# school age students served under IDEA, Part B: 2020-21	State Shortfall Per Pupil
Alabama	197,300,000	489,500,000	292,200,000	91,312	3,200.02
Alaska	40,400,000	103,900,000	63,500,000	17,760	3,575.45
Arizona	226,000,000	675,500,000	449,500,000	136,277	3,298.43
Arkansas	121,500,000	373,400,000	251,800,000	66,544	3,783.96
California	1,327,800,000	3,301,100,000	1,973,300,000	711,071	2,775.11
Colorado	176,600,000	493,600,000	317,000,000	98,705	3,211.59
Connecticut	144,500,000	339,300,000	194,800,000	78,393	2,484.92
Delaware	39,400,000	99,000,000	59,600,000	22,588	2,638.57
District of Columbia	21,100,000	82,300,000	61,200,000	13,766	4,445.74
Florida	702,300,000	2,453,600,000	1,751,400,000	388,593	4,507.03
Georgia	381,000,000	1,139,500,000	758,400,000	213,272	3,556.02
Hawaii	43,200,000	138,300,000	95,100,000	18,029	5,274.83
Idaho	62,500,000	183,800,000	121,400,000	33,164	3,660.60
Illinois	549,800,000	1,495,500,000	945,800,000	268,467	3,522.97
Indiana	281,100,000	901,100,000	620,000,000	168,399	3,681.73
Iowa	132,800,000	419,600,000	286,800,000	65,010	4,411.63
Kansas	115,900,000	338,900,000	223,000,000	68,488	3,256.04
Kentucky	171,700,000	593,400,000	421,800,000	95,554	4,414.26
Louisiana	204,800,000	559,400,000	354,600,000	78,200	4,534.53
Maine	59,500,000	186,200,000	126,700,000	31,989	3,960.74
Maryland	217,400,000	568,100,000	350,700,000	100,861	3,477.06
Massachusetts	308,700,000	815,400,000	506,700,000	164,975	3,071.37
Michigan	433,800,000	1,065,000,000	631,100,000	181,390	3,479.24
Minnesota	206,100,000	667,000,000	460,800,000	132,571	3,475.87
Mississippi	130,100,000	347,600,000	217,500,000	63,248	3,438.84
Missouri	247,000,000	743,600,000	496,600,000	115,909	4,284.40
Montana	41,200,000	108,900,000	67,700,000	18,286	3,702.29
Nebraska	81,200,000	297,500,000	216,300,000	47,861	4,519.34
Nevada	86,000,000	300,900,000	215,000,000	58,170	3,696.06
New Hampshire	51,600,000	143,800,000	92,200,000	27,060	3,407.24
New Jersey	393,100,000	1,214,900,000	821,800,000	223,903	3,670.34
New Mexico	99,000,000	257,400,000	158,400,000	50,311	3,148.42
New York	824,900,000	2,033,000,000	1,208,200,000	492,106	2,455.16
North Carolina	372,500,000	1,114,000,000	741,500,000	183,570	4,039.33
North Dakota	34,000,000	99,200,000	65,200,000	14,768	4,414.95
Ohio	474,300,000	1,270,800,000	796,500,000	251,970	3,161.09
Oklahoma	161,900,000	586,400,000	424,500,000	110,423	3,844.31
Oregon	136,500,000	413,200,000	276,700,000	79,782	3,468.20
Pennsylvania	462,900,000	1,440,200,000	977,200,000	308,760	3,164.92
Rhode Island	47,600,000	129,900,000	82,400,000	21,865	3,768.58
South Carolina	192,300,000	609,000,000	416,700,000	101,365	4,110.89
South Dakota	39,000,000	112,900,000	73,900,000	19,879	3,717.49
Tennessee	258,300,000	687,500,000	429,200,000	116,789	3,675.00
Texas	1,126,400,000	3,136,800,000	2,010,500,000	575,438	3,493.86
Utah	127,300,000	365,200,000	237,900,000	78,739	3,021.37
Vermont	32,800,000	67,600,000	34,800,000	13,793	2,523.02
Virginia	308,800,000	953,700,000	644,900,000	163,459	3,945.33
Washington	241,300,000	728,300,000	487,000,000	137,052	3,553.40
West Virginia	82,600,000	261,700,000	179,100,000	42,753	4,189.18
Wisconsin	226,100,000	636,700,000	410,600,000	112,196	3,659.67
Wyoming	34,400,000	83,500,000	49,100,000	13,195	3,721.11
				Average:	3,637.09

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School Connectivity/Education Technology

- 24-hour learners need 24-hour access
- E-Rate remains the 4th largest stream of funding in the nation's schools
- Congress finally addressed Homework Gap in ARP via Emergency Connectivity Fund.
- ECF is out of money. Congress must find a way in the short term to satisfy the remaining $1.3 billion in demand. In the long term, Congress needs to make ECF a permanent program with the same type of regular and stable support enjoyed by E-Rate and other universal service programs.

Safer Communities Act (Response to Uvalde)

- In addition to the gun violence prevention pieces, there are significant legislative K12 funding and policy wins in this law.
- Language requiring CMS to issue guidance on an updated school-based Medicaid program reimbursement system that includes taking steps to dramatically reduce the administrative burden on small and rural districts and the creation of a new TA center for districts to utilize to insure they are billing expansively for healthcare services they provide to students.
- Increased funding for the STOP School Violence Act grant program, Project AWARE, and $2 billion in new funding for districts to hire mental health professionals and build a pipeline of mental health personnel.

ARP and School Construction

January AASA survey found 50% of districts unsure of whether HVAC/construction work will be finished by Sept 2024

- Huge advocacy push to provide flexibility
- On May 13th, AASA received a letter from ED clarifying that they would provide some “late liquidation” flexibility to districts for HVAC/construction and other contracted services
- Waiting on official guidance to spell out the process. Late liquidation would also apply to ESSER I and ESSER II funding.
- Concern that process won’t be flexible enough to allow LEAs to rely on it.

Infrastructure & Electric School Buses

- **White House Biden-Harris Action Plan for Building Better School Infrastructure** (Funding Toolkit)
  - Leverages investments from the Infrastructure Investment and Jobs Act (IIJA) and other federal funding. The IIJA provides $550 billion in new spending over 5 years.
- **DOE Grants for Energy Efficiency Improvements & Renewable Energy Improvements at Public School Facilities**—$500 million over 5 years to help schools carry out any facility improvement, repair, renovation, or installation project that:
  - Results in a direct reduction in school energy costs;
  - Leads to an improvement in teacher/student health (e.g., IAQ);
  - Involves the installation of renewable energy technologies or alternative fuel vehicle infrastructure on school grounds; or involves the purchase/lease of alternative fuel school vehicles.
- **EPA Clean School Bus Program**—$5 billion over 5 years; 1st round of funding = $500 million rebate program to help schools replace old bus fleets w/ clean and zero-emission vehicles.
  - Must operate fully or in part on alternative fuels, e.g., electric, liquified natural gas, compressed natural gas, hydrogen, propane, or biofuels. Rebates are for bus replacements & infrastructure only.
  - Application window now open until August 2022. EPA is prioritizing high-need, tribal, rural/remote districts.

School Nutrition – Before KKFA

- **Since March 2020, Congress gave USDA nationwide waiver authority to grant meal program flexibilities during COVID-19.** Authority was extended several times and set to expire on June 30, absent any additional action by Congress. In case the USDA waivers weren't extended, the agency took action within its normal scope of authority offering states a chance to opt into waivers for:
  - SFSP & SSO: Non-Congregate and Parental/Guardian Pick Up (Expire 9/30/22)
  - NSLP & SBP: Non-Congregate, Parental/Guardian Pick Up, Meal Service Times, Offer v. Serve (Expire 6/30/23)
  - Other administrative, reporting, and special program requirements (see the full checklist).
- **USDA finalized a transitional meal pattern standard rule for SYs 22-23 & 23-24 to help programs go back to normal order.** Effective July 1, 2022 for NSLP, SBP, CACFP, and Special Milk Program:
  - Milk: Schools may offer 1% (low-fat) flavored and unflavored milk in addition to nonfat flavored/unflavored milk.
  - Sodium: Sodium limits for school lunch and breakfast will remain at the same level they currently are, or "Target 1" for SY 22-23.
    - For SY 23-24, only sodium for school lunches must be reduced (by 10%) to meet a transitional "Target 1A" level. (School breakfast sodium levels will remain at Target 1).
  - Whole Grains: At least 80% of the grains served in school lunch and breakfast per week must be "whole-grain rich" (i.e., defined as containing at least 50% whole grains)

School Nutrition – After KKFA

- **Keep Kids Fed Act (KKFA)—Became Law on June 25.**
- **Grants USDA *limited* extension of nationwide meal waiver authority due to COVID-19.**
  - SFSP & SSO waivers are only allowed to continue for the summer (May-Sept).
    - Waivers 107, 108, 109 re: area eligibility and higher SFSP reimbursement rates for SSO (6/30/22) & 111, 11 2, 11 3 re: non-congregate feeding, parent/guardian pick up, and meal service times (7/6/22).
    - NOTE: States must opt into these waivers, so check with your agency!
  - Authorizes USDA to issue other no-cost waivers for all programs through June 2023.
    - This includes meal pattern waivers for all programs through June 2023. However, USDA doesn't plan to grant this; wants schools to transition to healthier standards. USDA recognizes supply chain issues but has other relief in mind. (Waiver 11 0 not requiring states to fiscally penalize districts for failing to meet pattern requirements & an extra $943 million in Commodity Credit Corporation funding to address supply issues.)
  - FYI: For SY22-23 schools cannot do SSO outside of summer, continue universal meals outside of CEP, or receive higher SFSP rates for meals. Schools must start collecting household meal applications again.
- **Temporary increase in meal reimbursements for SY22-23 only.**
  - This is in addition to the annual adjustment for inflation (7.4%). NSLP (40 cents), SBP (15 cents), CACFP (10 cents); applies to all free, reduced, paid meals.
- **Long-Term CNR priorities:** More program flexibility, reasonable meal standards, & expand CEP.

Public Service Loan Forgiveness

- Provides full forgiveness on federal student loan debt to individuals employed full-time in public service jobs after 10 years or 120 qualifying payments.
  - Eligible participants include any person employed full time at a government entity, including schools. All full-time public school staff qualify for the program.
- U.S. ED has issued a limited waiver that will count all prior payments on any federal loan towards PSLF. This waiver is in effect until October 31, 2022. Borrowers will need to consolidate, if necessary, and submit a PSLF form before the waiver ends to have previously ineligible payments counted. More resources here.

Loan Forgiveness for Educators Act

- Sponsored by Senator Ben Lujan (D-NM), endorsed by AASA
- Changes the Teacher Loan Forgiveness Program
  - Provides full forgiveness after five years of service
  - Pays borrowers' monthly payments until they reach the five-year mark
  - Expands program to include K-12 school leaders and early educators
- Eligible participants must work in a high-need school—which serves more than 30% of students from low-income families.

Regulatory Update

- Title IX proposed regulations have been issued (see separate handout)
- Section 504 of the Rehabilitation Act of 1973: Department of Education will be issuing new proposed regulations within the next several months (see separate handout)
- ESSER timeline may be extended (see separate handout)

ESSER Updates

July 14, 2022

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Introduction

Federal Education Group, PLLC (FEG) is a law and consulting firm that helps states, school districts, and other educational organizations understand federal law so they can use federal money to achieve their goals while maintaining compliance.

FEG's practice areas include all major federal K-12 education programs, including COVID relief programs, ESEA, IDEA, and Perkins, as well as federal grants management requirements, such as the Uniform Grant Guidance.

FEG's co-founders Melissa Junge and Sheara Krvaric previously served as in-house counsel for an SEA and in private practice at an education law firm.

Agenda

- Timelines and late liquidations
- Navigating ED guidance on allowable uses of funds
- Local maintenance of equity requirement

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ESSER Timelines

ESSER Timeline Concerns

- Concerns about supply chain and hiring challenges have prompted questions about whether SEAs and LEAs can get additional time to spend ESSER funds.

- On January 21, AASA and other organizations sent a letter to ED asking for more time to spend ARP ESSER funds for school construction and capital projects.

- ED replied on May 13 noting that while it cannot extend the time to "obligate" funds, it can extend the time to "liquidate" funds and will consider doing so on a case-by-case basis.

Scope of ED's Letter

- ED's letter is focused on ARP ESSER funds, but ED officials have said it applies to all ESSER funds (CARES/CRRSA/ARP).

- ED's letter is focused on school construction and infrastructure, but according to media outlets, ED will consider requests for other types of activities too.
  - Although apparently ED will prioritize construction-related requests.

Understanding ESSER's Spending Dates

	Spending Start Date	Spending End Date
CARES ESSER $13.23 billion	3/13/2020	Deadline to obligate: 9/30/2022 LEA financial reporting: 12/29/2022 SEA liquidation: 1/28/2023
CRRSA ESSER $54.3 billion	3/13/2020	Deadline to obligate: 9/30/2023 LEA financial reporting: 12/29/2023 SEA liquidation: 1/28/2024
ARP ESSER $121.975 billion	3/13/2020	Deadline to obligate: 9/30/2024 LEA financial reporting: 12/29/2024 SEA liquidation: 1/28/2025

Obligation Considerations

- ED’s letter confirms it cannot extend the obligation deadline.
  - This is different from ESEA that gives ED authority to waive certain provisions, which it has used to extend the obligation deadline for ESEA programs (often called “Tydings” waivers).
  - ESSER does not have similar waiver authority. (Nor does IDEA or Perkins.)

- Generally speaking, an obligation occurs when there is a legal commitment to spend funds.

- ED regulations specify when obligations for certain expenses are made (34 CFR § 76.707).

Liquidation Considerations

- Federal regulations give:
  - LEAs 90 days to submit final financial information to their SEA. (2 CFR § 200.344(a))
  - SEAs 120 days to liquidate funds, that is, to finish drawing down money from ED in order to pay off valid and timely obligations. (2 CFR § 200.344(b))
- ED has authority to extend the liquidation period, which would give states more time to draw down and pay out ESSER funds but would not allow for new obligations.
- ED's letter confirms it will consider extending the ESSER liquidation deadline if requested in writing by an SEA, but any decision will be based on "the specific facts and circumstances of a given obligation."

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Effect of a Liquidation Extension

- If the liquidation deadline is extended, ED said "the delivery of goods and services may continue to be provided through the end of the liquidation period, so long as a timely and valid obligation has been made pursuant to 34 CFR §76.707."
- This appears to mean ESSER-funded activities can continue after September 30 until the end of the liquidation extension if the activities relate back to a valid and timely obligation.
- Some questions remain, however, and additional clarifications from ED would be helpful.

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Practical Limitations

- ED has said it will only consider a request for an extension very close to the end of the period of availability.
- ED has said it will only consider requests on a case-by-case basis, which might mean individual requests for each affected project.
- It is unclear what happens if a project is disrupted after the obligation deadline.

ED Guidance on Allowable Uses of ESSER Funds

Key Points About Allowable Uses of Funds

- Activities supported with ESSER funds should be consistent with the goal of preventing, preparing for, or responding to COVID-19.

- As described in December 2021 guidance, ED views that goal broadly:

  In response to the pandemic, ESSER and GEER funds offer the opportunity to make educational systems better for students, educators, staff, schools, and their communities post-pandemic. The Department encourages SEAs and LEAs to think holistically about their response to COVID-19 in order to address the impact of lost instructional time from the pandemic on all students and to address pre-existing challenges that, if left unaddressed, will impede recovery from the pandemic.

Key Points About Allowable Uses of Funds (cont.)

- As with all expenses paid with federal funds, ESSER-funded activities must be reasonable and comply with other federal cost principles.

- Depending on an LEA's needs and circumstances, allowable ESSER activities might include:
  - Sustaining operations, including paying existing staff, addressing staffing shortages and transportation issues.
  - Mental health services and supports to students (including those who experienced trauma before the pandemic).
  - Programs to re-engage students (including addressing factors that contributed to student disengagement before the pandemic).
  - Continuing to address issues of digital equity and access.
  - Implementing rigorous curricula across P-12 schools.

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Key Points About Allowable Uses of Funds (cont.)

- Depending on an LEA's needs and circumstances, allowable ESSER activities might include (cont.):
  - Sustaining and expanding existing summer learning and enrichment programming or early childhood education programs.
  - Creating or improving existing data systems to identify and respond to student needs in light of the pandemic.
  - Supporting the needs of children with disabilities by eliminating evaluation backlogs, providing services, personnel preparation, and professional development and training.
  - Maintaining healthy facilities, which could include addressing pre-existing or new ventilation, roofing, and plumbing needs, or other needs that may inhibit healthy learning environments during full-time in-person learning. This might include roof repairs or replacement; reducing lead exposure in water; or mold, radon, and asbestos remediation, as well as facility updates (such as upgrading science labs) to address the impact of lost instructional time.

Where to Find ESSER Use of Funds Guidance

- Much of ED's ESSER guidance is posted in the following places:
  - https://oese.ed.gov/offices/education-stabilization-fund/elementary-secondary-school-emergency-relief-fund/
  - https://oese.ed.gov/offices/american-rescue-plan/resources/
  - https://www.ed.gov/coronavirus

- But guidance is also posted on other parts of ED websites (like this ventilation guidance), which can make ESSER guidance difficult to find.

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Key Pieces of ESSER Use of Funds Guidance

- ESSER and GEER FAQs
  - Clarification on construction issues
  - Clarification on connecting activities to the pandemic
- Guidance on vaccination and testing
- Guidance on incentives for vaccination
- Guidance on incentives for testing
- Guidance on teacher shortages
- Guidance on sustaining teacher investments
- Guidance on staff shortages
- Guidance on transportation
- Guidance on promoting public safety
- Guidance on full-service community schools and related strategies
- Guidance on addressing lost instructional time
- Guidance on preaward costs
- Guidance on ventilation

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Local Maintenance of Equity Updates

What is MOEquity?

- Maintenance of Equity (MOEquity) is a new fiscal rule under ARP ESSER. There are:
  - **State-level** MOEquity requirements that limit states from cutting state funds to certain school districts in 2021-2022 and 2022-2023, and
  - **Local-level** MOEquity requirements that limit LEAs from cutting (1) combined state/local funds and (2) staff to certain schools in 2021-2022 and 2022-2023. (Details on slide 25.)

Which LEAs Must Meet Local MOEquity Requirements?

- All LEAs that receive ARP ESSER funds, <u>except</u> LEAs:

1. With a total enrollment of less than 1,000 students,
2. That operate only one school,
3. That have only one school per grade span,
4. That can certify they will not have an aggregate reduction in combined state and local per-pupil funding in 2021-2022 and/or 2022-2023, or
5. That receive an exception from ED due to exceptional or uncontrollable circumstances.

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Reporting on Exception Status

- As discussed more on slide 27, SEAs are required to list on their websites all LEAs that are excepted from MOEquity.
  - For SY 2021-2022, SEAs had to post this information by July 8, 2022.
  - For SY 2022-2023, SEAs must post by November 1, 2022.

- The next few slides address how LEAs demonstrate various exceptions.

- If LEA is eligible for an exception, but is unsure about its status, it should contact the SEA immediately.

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How Do LEAs Claim an Exception?

- Resource: https://oese.ed.gov/files/2022/02/LEA-Local-Maintenance-of-Equity-Exception-Process_2.10.22.pdf

- Automatic Exceptions: LEAs with a total enrollment of less than 1,000 students, that operate only one school, or that have only one school per grade span are **automatically excepted** from MOEquity requirements.
  - Such LEAs do not need to submit any documents to claim the exception,
  - But they should be prepared to verify the exception if requested.

How Do LEAs Claim an Exception (cont.)?

- No Funding Cuts at Local Level: LEAs that did not have an aggregate reduction in combined state and local per-pupil funding in a covered year should **submit a certification to their SEA**.

  - A sample certification form can be found in Appendix B of ED's MOEquity FAQs https://oese.ed.gov/files/2021/12/Maintenance-of-Equity-updated-FAQs_12.29.21_Final.pdf.

- If an LEA qualifies for this exception but has not submitted a certification to its SEA, it should contact its SEA immediately.

How Do LEAs Claim an Exception (cont.)?

- Exceptional or Uncontrollable Circumstances: LEAs that cannot meet local MOEquity requirements because of an exceptional or uncontrollable circumstance should **email ED** at [state].oese@ed.gov and cc: the SEA.
  - The email should provide detailed information on the exceptional or uncontrollable circumstance and how it prevents the LEA from maintaining equity.
  - Examples of approved ED exceptions are here, here, and here.
- If an LEA believes it qualifies for this exception but has not submitted a request to ED, it should contact its SEA immediately.

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Overview of Local MOEquity Requirements

- If not excepted from MOEquity, then in FYs 2022 (SY 2021-2022) and 2023 (SY 2022-2023) LEAs may not reduce:
  - **Per-pupil state and local funding** ("fiscal equity") to high-poverty schools more than the total reduction in per-pupil funding to all schools, <u>and</u>
  - **Per-pupil FTEs** ("staffing equity") to high-poverty schools more than the total reduction in per-pupil FTEs in all schools.
- LEAs must satisfy <u>both</u> tests.
- High poverty schools are an LEA's poorest 25% of schools.

Final Requirements for Reporting on LEA MOEquity

- On June 8, ED published final reporting requirements for LEA-level MOEquity in the Federal Register.
  - https://www.govinfo.gov/content/pkg/FR-2022-06-08/pdf/2022-12296.pdf

- On June 9, ED conducted a webinar about the final requirements:
  - Slides https://oese.ed.gov/files/2022/06/WEBINAR-6.9.22_NFR-Local-MOEQuity-Reporting.pdf
  - Recording https://oese.ed.gov/files/2022/06/060922-843399-DeptofEd-LEA.mp3
  - Transcript https://oese.ed.gov/files/2022/06/060922-843399-DeptofEd-LEA-transcript.pdf

Summary of Information SEAs Must Post To Their Websites

Deadline	Information to Be Posted
Jul 8, 2022	• Identity of each LEA excepted for SY 2021-2022 and the reason for the exception • Identity of high-poverty schools in each non-excepted LEA
Jul 8, 2022	• Description of how the SEA will ensure non-excepted LEAs meet MOEquity requirements for SY 2021-2022 including information about when the SEA will require noncompliant LEAs to describe the adjustments they will make to come into compliance
Nov 1, 2022	• Identity of each LEA excepted for SY 2022-2023 and the reason for the exception • Identity of high-poverty schools in each non-excepted LEA
Nov 1, 2022	• Description of how the SEA will ensure non-excepted LEAs meet MOEquity requirements for SY 2022-2023 including information about when the SEA will require noncompliant LEAs to describe the adjustments they will make to come into compliance
Dec 31, 2022	• MOEquity data for SY 2021-2022 for each non-excepted LEA
Dec 31, 2023	• MOEquity data for SY 2022-2023 school year for each non-excepted LEA

Important Clarifications on Remedies

- "If an LEA does not maintain equity and cannot make adjustments in that year, then the LEA may remedy this violation by **making adjustments to funding and FTE staffing in the next year** to ensure that high-poverty schools in the LEA are treated equitably." (p. 2 of FR notice, right column)

- "[W]e've had a few questions from a couple of folks about if an LEA does not maintain equity in one year, what does it mean? What are the implications for adjustments in the next year? And I would say **this is a situation where we want to gather the information first** and then it'll be based on... **We would expect that there would be adjustments made to be in compliance in the next year**. There is also a requirement for that LEA to maintain equity in fiscal year '23, so this will be lots of facts and different situations going on, and so I think as those situations occur, **we are happy to work with SEAs and have discussions about what things look like and targeted conversations**." (p. 7 of webinar transcript)

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