

Affiliated Jurisdictions:

Agudath Israel of America	Lutheran Schools Partnership
Association of Christian Schools International	Archdiocese of Indianapolis
Christian Schools International	Diocese of Evansville
Indiana Association of Independent Schools	Diocese of Fort Wayne -South Bend
Indiana Conference of Seventh-day Adventists	Diocese of Lafayette
Lutheran Church Missouri Synod	Diocese of Gary

Dr. Jennifer McCormick
Superintendent of Public Instruction
Indiana Department of Education
200 W Washington Street
Indianapolis IN 46204

Dear Dr. McCormick,

We hope this letter finds you well as we all navigate these unprecedented times posed by the coronavirus. We are writing to voice our disappointment with your decision to not follow the federal guidance as it relates to the equitable participation of non-public schools in the Elementary and Secondary Emergency Education Relief Fund.

As you are aware, Indiana has a long history of a successful public-private partnership in educating Hoosier children. It is always our hope that those who serve in the role of Indiana Superintendent of Public Instruction see ALL Indiana children as a part of our “public”. All types of schools serve the common good and the graduates from all Indiana sectors of education serve Indiana and its economy. Too often in the public policy arena our discourse turns to “us vs them” rather than a unifying “WE”. Moving beyond a crisis like the coronavirus pandemic will require a “WE” approach, especially when the “WE” impacts the lives of so many students, families, and communities

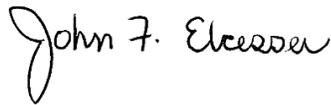
On March 27, when President Trump signed the CARES Act into law, we believe it was intended to provide emergency relief to as many students in as many schools as possible. It was designed as an emergency relief program, not a Title I program focused on serving only students in high poverty who are academically at risk. This was made clear in the legislation’s allowable uses for the funds and who would be eligible to benefit. Given this, our preference as non-public schools remains that a Title II approach based on population would have been used for both public and private schools be utilized. Many public and private schools that have been impacted by the pandemic will be left out of the CARES funding relief using a strict Title I allocation approach. Several high schools (even high poverty high schools) will receive no support because Title I programs have a tendency to be elementary-focused.

This interpretation was reiterated in the April 30 USDOE guidance and in Secretary DeVos’s recent May 22 letter to the Council of Chief State School Officers. In Senator Mike Braun’s May 14 letter to you, he too spoke to the legislative intent of serving all students impacted by the virus. It is not our intent in this letter to debate the differing legal opinions of ESEA’s section 1117 and its applicability to the equitable services allocation of ESSER funds; we will leave that to the attorneys. Our focus is rather how best to serve as many students as possible in as many schools as possible that have been impacted by COVID-19. This is a challenge we must all face together! Unfortunately, your recent decision leaves too many students and too many schools behind.

With the USDOE's intent to elevate their guidance into a rule, we would hope that you would seriously consider the Secretary's recommendation of placing the equitable share funding difference into escrow. This would make any necessary changes in the future easier on all involved.

This is a wonderful opportunity to strengthen the public-private partnership for the benefit of all Indiana children. This philosophy is proudly proclaimed on IDOE's website and in the tag line "Working Together for Student Success". We would welcome the opportunity to have continued dialogue with you and your staff on how to best navigate moving forward.

Sincerely,



John F. Elcesser
Executive Director
Indiana Non-Public Education Association



Daryl C. Hagan, Ed.D.
President, INPEA Board of Directors
Superintendent of Schools, Diocese of Evansville

CC: Andrew Mazur
Nathan Williamson