

	HOUSE DEMS (HEROES)	SENATE DEMS (CCCERA)	SENATE GOP BILL (HEALS)
MONEY FOR K-12	\$58 billion	\$175 billion	\$70 billion
DISTRIBUTION MECHANISM	61% on the state’s relative share of the population aged 5–24 and 39% on the state’s relative number of low-income children	Share of Title I Districts must set aside at least 20 percent of ESSER funds to measure and address learning loss, including by administering diagnostic assessments, implementing evidence-based activities to meet students’ comprehensive needs, offering professional development to staff, and providing information and assistance to families.	60% population and 40% based on Title I share
FUNDING CARVE-OUT	None		1/3 of funding will go to all LEAs and private schools based on population/Title I share regardless of re-opening status.
MOE PROVISIONS	States must give “assurances” that they will provide at least as much funding for K–12 as a percentage of total state spending, in fiscal years 2020, 2021, and 2022 as they did in fiscal year 2019 or For K–12 in fiscal years 2020, 2021, and 2022 as the average funding level across the previous three fiscal years.	States must provide an “assurance” that they will provide at least as much funding for K–12 an in fiscal years 2020, 2021, and 2022 as they provided in fiscal year 2019 or 2020, whichever is higher. Funds must also be used to supplement, not supplant, state and local spending on K–12 schools.	States must maintain K12 funding as proportion of funding for this year equivalent to the portion they spent in FY19
TITLE I SUPPLEMENTAL FUNDING	None	\$11 billion	None
IDEA SUPPLEMENTAL FUNDING	None	\$11 billion	None
IDEA IMPLEMENTATION FLEXIBILITY	None	None	None
HOMEWORK GAP FUNDING	\$1.5 billion distributed through FCC, not necc. E-Rate	\$4 billion distributed through E-Rate	None
MISUSE OF CARES FUNDS BY DEPT OF ED	Reverses ED guidanc/reg on equitable services and requires implementation to be as under Title I; eliminates micro-grant proposal in CARES; icludes new limitations on the Secretary’s ability to establish priorities, preferences, or restrictions on the use of funds that are not outlined in the HEROES Act	Reverses ED guidance/reg on equitable services and requires implementation based on Title I; no money for discretionary priorities of Secretary	No fixes.
FUNDING FOR PRIVATE SCHOOLS	None	None	Private schools are eligible for funding from the first portion and latter portions of funding. Creates new voucher program called "Education Freedom Scholarships" modeled on DeVos voucher plan except that it does not create a new federal tax credit it just gives money as a one-time appropriation. Money can be spent on any educational expense (private school, homeschool, etc). Creates a federal cause of action for coronavirus exposure claims against schools. This cause of action is the exclusive remedy for all claims against a defendant for personal injury caused by an actual, alleged, feared or potential exposure to coronavirus.
LIABILITY PROTECTIONS FOR DISTRICTS	None	None	

FUNDING BASED ON REOPENING STATUS

None

None

Governor will receive a plan from LEA on how they will physically reopen. Upon receipt of the funds, State would award funding to LEAs according to re-opening status. A district that has at least 50% in-person instruction would be eligible automatically for funding. A district that does not provide in-person instruction to any students will not be eligible for any funding. A district that offers hybrid learning options to less than 50% of students would have funding determined on a pro-rata basis.