



# SECTION BY SECTION

House Committee on Education and Labor

Chairman Robert C. "Bobby" Scott

## ***Save Education Jobs Act of 2021 (H.R. 542)***

### **Section 1 – Short Title**

This Act is called the *“Save Education Jobs Act of 2021.”*

### **Section 2 – Authorization of Appropriations to Create and Retain Education Jobs**

This section authorizes \$261.1 billion for the Education Jobs Fund to provide assistance to states over ten fiscal years (2021-2030) to save and create education jobs in communities most impacted by the COVID-19 pandemic and related recession, and for other purposes. This section allows the Secretary of Education to reserve \$1 million for program administration and oversight each fiscal year. This section also requires the Secretary of Education to award grants 30 days after enactment and by February 1 in subsequent fiscal years.

### **Section 3 – Grants to Retain and Create Education Jobs**

This section establishes that all states are eligible for funding during the first six years or until the 3-month moving average of the national unemployment rate falls to 5.5 percent or lower (if later). Thereafter, individual states that continue to experience high unemployment (above 5.5 percent) will remain eligible until fiscal year 2030. This section also establishes that funding is awarded to states and subgranted to local educational agencies based on their relative shares of funding under Title I, Part A of the Elementary and Secondary Education Act. States may reserve up to 5 percent of funding for state level purposes. The Secretary of Education is required to reserve one-half of 1 percent of funding for outlying areas and one-half of 1 percent of funding for the Bureau of Indian Education. Outlying areas and the Bureau of Indian Education will remain eligible during the first six years or until the 3-month moving average of the national unemployment rate falls to 3.5 percent or lower (if later).

### **Section 4 – Uses of Funds**

This section requires school districts to use at least 90 percent of funding to pay the salaries and benefits of teachers, school leaders, and other school personnel. Funding can be used to recall or rehire former employees, retain existing employees, and hire new employees in order to provide early childhood, elementary, or secondary educational related services. This section establishes that school districts may use up to 10 percent of funding to support teacher training and professional development, high-quality residency programs, and teacher pay for extended school time to address learning loss. This section also establishes that a state may not use program funds, directly or indirectly, to establish, restore, or supplement a rainy-day fund, or supplant state funds in a manner that has this effect. States are also prohibited from using funding, directly or indirectly, to reduce or retire debt obligations or to supplant state funds in a manner that has this effect. States are prohibited from using federal aid to fund voucher programs, tax-credit scholarships, and education savings accounts.

### **Section 5 – Applications**

This section provides information for grant application submissions to the Secretary of Education. Applications require assurances, among other things, that the state will: develop and implement a monitoring plan to ensure school districts are compliant with program and fiscal requirements; support school districts to target funding to high-need schools and to support subgroups of students; use funds to supplement Federal, state, or local funds; take action to ensure that low-income students and students of color are not taught at disproportionate rates by ineffective, out-of-field, or inexperienced teachers; and comply with reporting and maintenance of effort and maintenance of equity requirements.

#### **Section 6 – Maintenance of Effort and Equity**

This section specifies that states must maintain K-12 funding in the same proportion to their overall state budget as in the 2017-2018 and 2018-2019 school years. States must not cut funding to school districts with higher student poverty rates than the median district in the state to a greater extent than funds for schools overall and must not cut funding at all for the poorest 20 percent of school districts in the state. School districts must not cut funding to schools with higher student poverty rates than the median school served by the school district to a greater extent than the overall reduction in funding for the school district. School districts must prioritize staffing stability in high-poverty schools.

#### **Section 7 – Reporting Requirements**

This section establishes reporting requirements for the Secretary of Education, states, and school districts.

#### **Section 8 – Definitions**

This section provides definitions found within the bill.