

# Exhibit 246

Follow the Money Series

Blood Money and Trojan Horses: Federal ESSER Money  
In Public Schools

<https://www.patientadvocatebulldog.com/follow-the-money-series/>

# Follow the Money Series

## *Blood Money and Trojan Horses: Federal ESSER Money in Public Schools*

Summary Brief, Revised 28 July 2022

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### Foreword

Founded in January 2021, TN Liberty Network is an independent Tennessee-based think tank comprised of 28 volunteer researchers who live within the state's borders. TN Liberty Network does not have a public membership, does not raise or accept funding, does not have a bank account, does not have a public-facing website, is not a registered 501-type organization, does not have a federal tax ID number, is not part of any another organization, and is not instructed by any organization or individual on what to research or what outcomes are produced. TN Liberty Network only follows money and evidence to factual and documented conclusions.

In January 2022, TN Liberty Network released its first white paper summary in our *Follow the Money Series* on ESSER funding and its effects on U.S. government schools. In late July 2022, a more detailed monograph titled *Blood Money and Trojan Horses: Federal ESSER Money in Public Schools* was released, further detailing how the federal government uses Covid relief money via Elementary and Secondary School Emergency Relief (ESSER) funds to coerce K-12 public school compliance with CDC-related requirements, Social Emotional Learning (SEL)/Critical Race Theory (CRT)-based requirements, and mental health requirements.

The next monograph in our *Follow the Money Series*, *Blood Money in U.S. Healthcare*, was released in late summer 2022. This was the first of seven separate monographs released to help readers better understand varying levels of fraud and corruption perpetrated on the American people by our government. Individual monographs will include these topics:

- Financial Incentives: The Use of “Covered Countermeasures”
- Centers for Medicare and Medicaid (CMS) Waivers: Destruction of Patient Rights and the Hippocratic Oath
- Public Health Emergency (PHE): Following Money and Power to Who is Responsible
- Public Readiness and Emergency Preparedness Act (PREP Act): How Immunity from Liability Works
- The CARES Act: How Legislation Weaponized Federal Agencies and Organizations During the Pandemic
- Vaccination Fraud: Lies Behind EUA-Approved Drugs and the Covid “Vaccinations”
- Medicare for All: The Future of Healthcare in America and How We Can Stop It

TN Liberty Network files Fair Use copyrights for each paper to be used in the public domain and encourages the public to include footnoted references as evidence. This is no longer anecdotal information. It is not the opinion of TN Liberty Network nor its members. Our mission is to equip the public with fact- and evidence-based information regarding what is occurring in U.S. healthcare and education systems.

One people—one fight for liberty.

TN Liberty Network  
28 July 2022

## Introduction

School board meetings in America are the new battlegrounds for medical freedom. Prior to the Covid “pandemic,” parents rarely doubted intentions of government-run schools regarding their children’s physical health. It turns out they should have. In the last 18 months, the internet has been teeming with videos of irate, unhappy parents, pleading with school boards to unmask their kids. Panels of stone-faced school “bored” members, silent behind masks (at least while cameras are rolling) and seemingly uncaring while tears and pleas for help flow. Reams of studies on the harmful ineffectiveness of masks end up, unread, in trash bins.

Every parent and every taxpayer need to know that school boards have no teeth. They are powerless over what is happening in government indoctrination camps. They do as they are told and push the time buzzer when parents and students finish crying at the podium. They know how cruel it is to mask, isolate, quarantine, test, and contact trace kids—all in the name of “health and safety.” They know the “science” behind masking children has crumbled like Anthony Fauci’s fragile credibility. School boards are defenseless, often seen as useful idiots, against a much bigger power at district and state levels.

If Covid accomplished anything in the last two-and-a-half years, it opened our eyes to the stark reality that our government education system is a bloated bureaucratic babysitter with no accountability and no transparency. Backed by teachers’ unions, it has an insatiable hunger for power over the minds and bodies of our children—and a hunger for money attached to each of our children.

This is the real story of why Covid mandates are hurting children and destroying what little faith we have left in the U.S. public school system. Where did billions of dollars in Covid blood money originate? And how is it being used to hold our children ransom across America?

## Follow the Money<sup>1</sup>

**27 Mar 2020.** Federal legislation established a three-layer shroud called the Elementary and Secondary School Emergency Relief (ESSER) Fund to support K-12 school re-openings and “pandemic” recovery. ESSER is the most money ever given to public education—11 times more than annual Title I spending and five times more than total federal K-12 spending in 2019-2020.<sup>2</sup>

### CARES Act

#### The CARES Act

*ESSER I.* Phase I of federal K-12 pandemic relief funding (ESSER I) was implemented under the Coronavirus Aid, Relief, and Economic Security (CARES) Act and released in Spring 2020. Most schools closed by the end of March 2020, and few offered remote learning. \$13.2B in ESSER funds were supposed to help schools address these challenges and assist in safely re-opening.<sup>3</sup>

Signed by President Trump 27 March 2020	
\$2.2 Trillion economic stimulus package	
\$13.2 Billion in ESSER I funds	\$2.95 Billion in GEER I funds

**Figure 1** below shows ESSER I allocation table for all states.<sup>4</sup>

<sup>1</sup> “Elementary and Secondary School Emergency Relief (ESSER) Fund,” Department of Education, Office of Elementary & Secondary Education. ESSER I and II (ARP ESSER). <https://oese.ed.gov/offices/american-rescue-plan/american-rescue-plan-elementary-and-secondary-school-emergency-relief/>.

“Governor’s Emergency Education Relief (GEER) Fund,” DoE, OESE. <https://oese.ed.gov/offices/education-stabilization-fund/governors-emergency-education-relief-fund/>.

“ESSER Fund Tracker,” National Conference of State Legislatures (NCSL). 25 Jan 2022. <https://www.ncsl.org/ncsl-in-dc/standing-committees/education/cares-act-elementary-and-secondary-school-emergency-relief-fund-tracker.aspx>.

<sup>2</sup> “The \$200 Billion Question: How Much of Federal Covid-19 Relief Funding for Schools Will Go To Covid-19 Relief?” American Enterprise Institute, Nat Malkus. 4 Aug 2021. <https://www.aei.org/research-products/report/the-200-billion-question-how-much-of-federal-covid-19-relief-funding-for-schools-will-go-to-covid-19-relief/>.

<sup>3</sup> “What Is the Education Stabilization Fund (ESF)?” U.S. Department of Education. <https://covid-relief-data.ed.gov/>.

<sup>4</sup> Elementary and Secondary School Emergency Relief Fund Authorized by the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), Public Law 116-136. <https://oese.ed.gov/files/2020/04/ESSER-Fund-State-Allocations-Table.pdf>.

Follow the Money Series

Blood Money and Trojan Horses: Federal ESSER Money in Public Schools

		Min LEA Distribution <sup>1</sup>	Max SEA Reservation	Max for SEA Administration <sup>2</sup>
<b>TOTAL</b>	<b>\$13,229,265,000</b>	<b>11,906,338,500</b>	<b>1,322,926,500</b>	<b>66,146,325</b>
ALABAMA	216,947,540	195,252,786	21,694,754	1,084,738
ALASKA	38,407,914	34,567,123	3,840,791	192,040
ARIZONA	277,422,944	249,680,650	27,742,294	1,387,115
ARKANSAS	128,758,638	115,882,774	12,875,864	643,793
CALIFORNIA	1,647,306,127	1,482,575,514	164,730,613	8,236,531
COLORADO	120,993,782	108,894,404	12,099,378	604,969
CONNECTICUT	111,068,059	99,961,253	11,106,806	555,340
DELAWARE	43,492,753	39,143,478	4,349,275	217,464
DISTRICT OF COLUMBIA	42,006,354	37,805,719	4,200,635	210,032
FLORIDA	770,247,851	693,223,066	77,024,785	3,851,239
GEORGIA	457,169,852	411,452,867	45,716,985	2,285,849
HAWAII	43,385,229	39,046,706	4,338,523	216,926
IDAHO	47,854,695	43,069,226	4,785,470	239,273
ILLINOIS	569,467,218	512,520,496	56,946,722	2,847,336
INDIANA	214,472,770	193,025,493	21,447,277	1,072,364
IOWA	71,625,561	64,463,005	7,162,556	358,128
KANSAS	84,529,061	76,076,155	8,452,906	422,645
KENTUCKY	193,186,874	173,868,187	19,318,687	965,934
LOUISIANA	286,980,175	258,282,158	28,698,018	1,434,901
MAINE	43,793,319	39,413,987	4,379,332	218,967
MARYLAND	207,834,058	187,050,652	20,783,406	1,039,170
MASSACHUSETTS	214,894,317	193,404,885	21,489,432	1,074,472
MICHIGAN	389,786,984	350,817,286	38,979,698	1,948,985
MINNESOTA	140,137,253	126,123,528	14,013,725	700,686
MISSISSIPPI	169,883,002	152,894,702	16,988,300	849,415
MISSOURI	208,443,300	187,598,970	50,844,330	1,042,217
MONTANA	41,295,230	37,165,707	4,129,523	206,476
NEBRASKA	65,085,085	58,576,577	6,508,509	325,425
NEVADA	117,185,045	105,466,541	11,718,505	585,925
NEW HAMPSHIRE	37,641,372	33,877,235	3,764,137	188,207
NEW JERSEY	310,371,213	279,334,092	31,037,121	1,551,856
NEW MEXICO	108,574,786	97,717,307	10,857,479	542,874
NEW YORK	1,037,045,603	933,341,043	103,704,560	5,185,228
NORTH CAROLINA	396,311,607	356,680,446	39,631,161	1,981,558
NORTH DAKOTA	33,297,699	29,967,929	3,329,770	166,489
OHIO	489,205,200	440,284,680	48,920,520	2,446,026
OKLAHOMA	160,950,476	144,855,428	16,095,048	804,752
OREGON	121,099,019	108,989,117	12,109,902	605,495
PENNSYLVANIA	523,807,198	471,426,478	52,380,720	2,619,036
RHODE ISLAND	46,350,444	41,715,400	4,635,044	231,752
SOUTH CAROLINA	216,311,158	194,680,042	21,631,116	1,081,556
SOUTH DAKOTA	41,295,230	37,165,707	4,129,523	206,476
TENNESSEE	259,891,154	233,902,039	25,989,115	1,299,456
TEXAS	1,285,886,064	1,157,297,458	128,588,606	6,429,430
UTAH	67,821,787	61,039,608	6,782,179	339,109
VERMONT	31,148,360	28,033,524	3,114,836	155,742
VIRGINIA	238,599,192	214,739,273	23,859,919	1,192,996

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	Min LEA Distribution <sup>1</sup>	Max SEA Reservation	Max for SEA Administration <sup>2</sup>
WASHINGTON	216,892,447	195,203,202	21,689,245
WEST VIRGINIA	86,640,471	77,976,424	8,664,047
WISCONSIN	174,777,774	157,299,997	17,477,777
WYOMING	32,562,651	29,306,386	3,256,265
PUERTO RICO	349,113,105	314,201,795	34,911,311

**Figure 1. ESSER I funding to all states.** ESSER I funding had virtually no strings attached other than annual reporting.<sup>1</sup> Totals in Minimum LEA Distribution, Maximum SEA Reservation, and Maximum for SEA Administration columns are rounded to nearest whole dollar.<sup>2</sup> With funds not subgranted to LEAs, SEA may reserve up to an amount equal to 1/2 of 1 percent of total allocation for administrative costs.

**GEER I.** The CARES Act also established a \$2.95B Governor’s Emergency Education Relief (GEER) fund,<sup>5</sup> allocated to states alongside ESSER funds. GEER funds were based on each state’s relative population of individuals aged 5-24 and 40 percent based on each state’s relative number of children counted under ESSER I allocations. **Figure 2** below shows GEER I allocation table for all states (revised Jun 2021).<sup>6</sup>

State	GEER I	State	GEER I
TOTAL	2,953,230,000		
Alabama	48,853,203	Montana	8,764,737
Alaska	6,503,700	Nebraska	16,358,075
Arizona	69,198,549	Nevada	26,478,157
Arkansas	30,664,782	New Hampshire	8,891,635
California	355,237,757	New Jersey	68,866,711
Colorado	44,006,017	New Mexico	22,263,463
Connecticut	27,882,366	New York	164,291,001
Delaware	7,917,051	North Carolina	95,641,854
District of Columbia	5,807,869	North Dakota	5,932,825
Florida	173,591,320	Ohio	104,920,249
Georgia	105,724,181	Oklahoma	39,920,664
Hawaii	9,993,609	Oregon	32,508,822
Idaho	15,676,743	Pennsylvania	104,421,207
Illinois	108,500,769	Puerto Rico	47,814,615
Indiana	61,592,746	Rhode Island	8,704,488
Iowa	26,217,740	South Carolina	48,469,552
Kansas	26,274,863	South Dakota	7,944,235
Kentucky	43,711,994	Tennessee	63,584,117
Louisiana	50,278,669	Texas	307,036,242
Maine	9,273,788	Utah	29,190,230
Maryland	45,659,054	Vermont	4,488,898
Massachusetts	50,844,840	Virginia	66,776,941
Michigan	89,435,381	Washington	56,770,611
Minnesota	43,428,236	West Virginia	16,353,874
Mississippi	34,664,200	Wisconsin	46,551,563
Missouri	54,644,754	Wyoming	4,701,053

**Figure 2. GEER I funding to all states.** GEER I funding had virtually no strings attached other than annual reporting.

<sup>5</sup> “Governor’s Emergency Education Relief Fund,” U.S. Department of Education, Office of Elementary and Secondary Education. <https://oese.ed.gov/offices/education-stabilization-fund/governors-emergency-education-relief-fund/>.


<sup>6</sup> Governor’s Emergency Education Relief Fund Authorized by the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), Public Law 116-136. [https://oese.ed.gov/files/2021/06/GEERI\\_Methodology\\_Table\\_Revised\\_6.25.21\\_FINAL.pdf](https://oese.ed.gov/files/2021/06/GEERI_Methodology_Table_Revised_6.25.21_FINAL.pdf).

**21 Apr 2020.** The U.S. Department of Education (DoE) issued a template for the *State Plan for the ARP ESSER Fund*. All state education departments then executed a Certification and Agreement for ESSER funding (**Figure 3 – Tennessee Example**).

**U.S. Department of Education**

**Certification and Agreement  
for Funding under the  
Education Stabilization Fund Program  
Elementary and Secondary School Emergency Relief  
Fund (ESSER Fund)**

CFDA Number: 84.425D



OMB Number: 1810-0743  
Expiration Date: 10/31/2020

**ELEMENTARY AND SECONDARY SCHOOL EMERGENCY RELIEF  
FUND (ESSER FUND)**

**STATE EDUCATIONAL AGENCY**

**PART A: CERTIFICATION AND AGREEMENT COVER SHEET**

State: Tennessee CFDA Number: 84.425D

Legal Name: Tennessee Department of Education DUNS Number: 879016251

Chief State School Officer: Mailing Address:  
 Dr. Penny Schwinn 710 James Robertson Pkwy, 9th floor, Nashville, TN 37243

State Contact for Elementary and Secondary School Emergency Relief Fund: Eve Carney

Position and Office: Chief Districts and Schools Officer

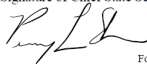
Mailing Address: 710 James Robertson Pkwy., 12th floor  
Nashville, TN 37243

Telephone: 615-532-1245

Email address: Eve.Carney@tn.gov

To the best of my knowledge and belief, all the information and data in this agreement are true and correct. I acknowledge and agree that the failure to comply with all Assurances and Certifications in this Agreement, all relevant provisions and requirements of the CARES Act, Pub. L. No. 116-136 (March 27, 2020), or any other applicable law or regulation may result in liability under the False Claims Act, 31 U.S.C. § 3729, *et seq.*; OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement) in 2 CFR part 180, as adopted and amended as regulations of the Department in 2 CFR part 3485; and 18 USC § 1001, as appropriate.

Chief State School Officer or Authorized Representative (Typed Name): Telephone:  
 Dr. Penny Schwinn 615-741-5158

Signature of Chief State School Officer or Authorized Representative:  Date:  
May 18, 2020

Form Approved OMB Number: 1810-0743 Expiration Date: 10/31/2020

**Figure 3. Certification and Agreement for Funding.** *Tennessee Education Commissioner, Penny Schwinn, executed Tennessee’s ESSER Fund Part A Certification and Agreement on 18 May 2020.*

**The CRRSA Act**

**ESSER II, GEER II, and Emergency Assistance to Non-Public Schools (EANS). Dec 2020.** Donald Trump signed the Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act, expanding Covid relief funding an additional \$900B. CRRSA Act gave K-12 schools another \$54.3B under ESSER II funds, \$4.1B in GEER II funds, and \$2.8B in EANS funds.<sup>7</sup>

**CRRSA Act**

<b>Signed by President Trump 27 December 2020</b>	
<b>\$900 Billion in pandemic relief</b>	
<b>\$54.3 Billion in ESSER II funds</b>	<b>\$4.1 Billion in GEER II funds</b>
<b>\$2.8 Billion in EANS funds</b>	

**Figure 4** below shows ESSER II allocation table for all states.<sup>8</sup>

	Minimum LEA Distribution <sup>1</sup>	Maximum SEA Reservation	Maximum for SEA Administration <sup>2</sup>
<b>TOTAL</b>	<b>\$54,311,004,000</b>	<b>48,879,903,600</b>	<b>5,431,100,400</b>
ALABAMA	899,464,932	809,518,439	89,946,493
ALASKA	159,719,422	143,747,480	15,971,942
ARIZONA	1,149,715,947	1,034,744,352	114,971,595
ARKANSAS	558,017,409	502,215,668	55,801,741
CALIFORNIA	6,709,633,866	6,038,670,479	670,963,387
COLORADO	519,324,311	467,391,880	51,932,431
CONNECTICUT	482,426,458	443,183,812	49,242,646
DELAWARE	182,885,104	164,596,594	18,288,510

<sup>7</sup> Ibid.

<sup>8</sup> Elementary and Secondary School Emergency Relief Fund Authorized by the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), Public Law 116-136 [https://oese.ed.gov/files/2021/01/Final\\_ESSERII\\_Methodology\\_Table\\_1.5.21.pdf](https://oese.ed.gov/files/2021/01/Final_ESSERII_Methodology_Table_1.5.21.pdf).



		Minimum LEA Distribution <sup>1</sup>	Maximum SEA Reservation	Maximum for SEA Administration <sup>2</sup>
DISTRICT OF COLUMBIA	172,013,174	154,811,857	17,201,317	860,066
FLORIDA	3,133,878,723	2,820,490,851	313,387,872	15,669,384
GEORGIA	1,882,092,618	1,702,883,356	189,209,262	9,460,463
HAWAII	183,595,211	165,235,690	18,359,521	917,976
IDAHO	195,890,413	176,301,372	19,589,041	979,452
ILLINOIS	2,250,804,891	2,025,724,402	225,080,489	11,254,024
INDIANA	888,183,537	799,365,183	88,818,354	4,440,918
IOWA	344,864,294	310,377,865	34,486,429	1,724,321
KANSAS	369,829,794	332,846,815	36,982,979	1,849,149
KENTUCKY	928,274,720	835,447,248	92,827,472	4,641,374
LOUISIANA	1,160,119,378	1,044,107,440	116,011,938	5,800,597
MAINE	183,138,601	164,824,741	18,313,860	915,693
MARYLAND	868,771,243	781,894,119	86,877,124	4,343,856
MASSACHUSETTS	814,880,396	733,401,356	81,489,040	4,074,452
MICHIGAN	1,656,308,286	1,490,677,457	165,630,829	8,281,541
MINNESOTA	588,036,257	529,232,631	58,803,626	2,940,181
MISSISSIPPI	724,532,847	652,079,562	72,453,285	3,622,664
MISSOURI	871,172,291	784,055,062	87,117,229	4,355,861
MONTANA	170,099,465	153,089,519	17,009,947	850,497
NEBRASKA	243,073,530	218,766,177	24,307,353	1,215,368
NEVADA	477,322,438	429,590,194	47,732,244	2,386,612
NEW HAMPSHIRE	156,065,807	140,459,226	15,606,581	780,329
NEW JERSEY	1,230,971,757	1,107,874,581	123,097,176	6,154,859
NEW MEXICO	435,938,638	392,344,774	43,593,864	2,179,693
NEW YORK	4,002,381,738	3,602,143,564	400,238,174	20,011,909
NORTH CAROLINA	1,602,590,987	1,442,331,888	160,259,099	8,012,955
NORTH DAKOTA	135,924,393	122,331,954	13,592,439	679,622
OHIO	1,991,251,095	1,792,125,986	199,125,110	9,956,255
OKLAHOMA	665,038,753	598,534,878	66,503,875	3,325,194
OREGON	499,153,891	449,238,502	49,915,389	2,495,769
PENNSYLVANIA	2,224,964,030	2,002,467,627	222,496,403	11,124,820
RHODE ISLAND	184,791,567	166,312,410	18,479,157	923,958
SOUTH CAROLINA	940,420,782	846,378,704	94,042,078	4,702,104
SOUTH DAKOTA	170,099,465	153,089,519	17,009,947	850,497
TENNESSEE	1,107,656,022	996,890,420	110,765,602	5,538,280
TEXAS	5,529,552,209	4,976,596,988	552,955,221	27,647,761
UTAH	274,071,684	246,664,516	27,407,168	1,370,358
VERMONT	126,973,363	114,276,027	12,697,336	634,867
VIRGINIA	939,280,578	845,352,520	93,928,058	4,696,403
WASHINGTON	824,852,290	742,367,061	82,485,229	4,124,261
WEST VIRGINIA	339,032,096	305,128,886	33,903,210	1,695,160
WISCONSIN	686,056,238	617,450,614	68,605,624	3,430,281
WYOMING	135,230,900	120,707,810	13,523,090	676,155
PUERTO RICO	1,320,626,161	1,188,563,545	132,062,616	6,603,131

**Figure 4. ESSER II funding to all states.** *ESSER II funding had virtually no strings attached other than annual reporting.* <sup>1</sup> Totals in Minimum LEA Distribution, Maximum SEA Reservation, and Maximum for SEA Administration columns are rounded to nearest whole dollar. Minimum LEA Distribution and Maximum SEA Reservation amounts assume SEA subgrants minimum required amount of 90 percent of ESSER II award to its LEAs. <sup>2</sup> SEA may reserve up to an amount equal to 1/2 of 1 percent of total allocation for administrative costs, which must come from SEA Reservation.

**27 Dec 2020.** ESSER II funds (three and one-half times greater than ESSER I funds) were allocated, as most children still attended school remotely (if at all), despite drastically lower Covid cases in most states over the summer and fall. Studies proved children have an almost 100 percent chance of surviving Covid with an overall child mortality rate of 2 per million (0.0002%) and are the lowest candidates for spreading the disease.<sup>9</sup> Even though Education Secretary Betsy DeVos said schools could and should reopen without fear,<sup>10</sup> those fears were stoked to fever pitch by Big Tech, media, Hollywood elite, and alarmists like Anthony Fauci and Bill Gates.

**GEER II and EANS.** The CRRSA Act also established a \$4.1B GEER funds and \$2.8B in EANS funds,<sup>11</sup> allocated to states alongside ESSER II funds. **Figure 5** below shows GEER II and EANS allocation table for all states.<sup>12</sup>

State	GEER II	EANS	State	GEER II	EANS
<b>TOTAL</b>	<b>4,053,060,000</b>	<b>2,750,000,000</b>			
Alabama	66,854,427	45,502,043	Montana	16,741,345	12,816,385
Alaska	8,191,720	5,367,703	Nebraska	24,433,287	17,272,129
Arizona	85,316,662	54,413,531	Nevada	31,385,542	19,375,550
Arkansas	36,250,593	22,872,412	New Hampshire	10,869,057	7,069,209
California	341,442,086	187,475,843	New Jersey	98,676,217	68,749,847
Colorado	47,865,504	28,433,931	New Mexico	27,130,198	17,282,330
Connecticut	28,280,812	15,831,765	New York	322,874,046	250,113,323
Delaware	8,424,386	4,965,788	North Carolina	127,744,939	84,824,393
District of Columbia	7,728,185	5,312,618	North Dakota	6,731,084	3,998,745
Florida	288,776,981	212,978,041	Ohio	201,190,958	154,896,274
Georgia	126,249,440	79,175,146	Oklahoma	48,695,678	30,986,191
Hawaii	14,270,980	9,815,286	Oregon	41,767,534	27,595,419
Idaho	26,438,647	19,581,608	Pennsylvania	197,097,065	150,022,294
Illinois	132,384,042	84,489,804	Puerto Rico	125,990,797	104,161,180
Indiana	108,185,708	81,656,000	Rhode Island	10,953,111	7,148,776
Iowa	37,837,626	26,271,345	South Carolina	61,070,456	39,981,327
Kansas	38,343,973	26,667,139	South Dakota	11,276,356	7,773,070
Kentucky	60,147,586	40,817,799	Tennessee	100,640,521	72,838,359
Louisiana	78,551,550	55,566,230	Texas	287,499,442	153,168,245
Maine	16,833,444	12,751,099	Utah	37,178,352	23,978,187
Maryland	56,610,981	35,878,533	Vermont	6,215,187	4,284,369
Massachusetts	46,850,382	24,225,048	Virginia	76,584,607	46,618,019
Michigan	125,658,839	86,776,841	Washington	71,715,508	46,263,028
Minnesota	61,390,849	41,907,253	West Virginia	16,111,308	9,052,260
Mississippi	46,931,274	31,353,423	Wisconsin	98,325,015	77,492,001
Missouri	91,691,302	67,550,224	Wyoming	6,644,391	4,602,637

**Figure 5. GEER II and EANS funding to all states.** *GEER II and EANS funding had virtually no strings attached other than annual reporting.*

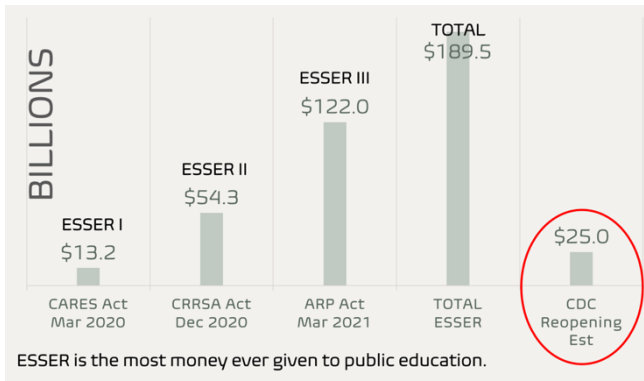
<sup>9</sup> “Covid Deaths in Children are Rare, New Study of NCMD Data Shows,” NCMD. 11 Nov 2021. <https://www.ncmd.info/news/covid-deaths-children-rare/>.

<sup>10</sup> Matt Barnum, “DeVos Says Schools Are Sitting on Billions in COVID Relief. Here’s Why That’s Misleading,” Chalkbeat, 8 Dec 2020, <https://www.chalkbeat.org/2020/12/8/22163990/cares-money-covid-relief-schools-devos>.

<sup>11</sup> “Governor’s Emergency Education Relief Fund II,” U.S. Department of Education, Office of Elementary and Secondary Education. [https://oese.ed.gov/files/2021/01/FINAL\\_-GEER\\_FactSheet\\_1.8.211.pdf](https://oese.ed.gov/files/2021/01/FINAL_-GEER_FactSheet_1.8.211.pdf).

<sup>12</sup> Governor’s Emergency Education Relief Fund Authorized by the Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act, Public Law 116-260. [https://oese.ed.gov/files/2021/01/FINAL\\_GEERII\\_EANS-Methodology\\_Table\\_1.8.211.pdf](https://oese.ed.gov/files/2021/01/FINAL_GEERII_EANS-Methodology_Table_1.8.211.pdf).





**5 Jan 2021.** ESSER II funds were released to states, raising total ESSER funds to \$67.5B. ESSER II are still being collected by some K-12 schools and are available through September 2023. \$67.5B sounds like a lot when compared to the CDC study published in Dec 2020 showing total cost for safely reopening all schools at approximately \$25B—for the entire nation.)<sup>13</sup>

**12 Feb 2021.** The DoE released its *Covid-19 Handbook* for states.<sup>14</sup>

### The ARP Act

**11 Mar 2021.** The American Rescue Plan (ARP) Act, signed by Joe Biden, was a \$1.9T economic stimulus bill, allocating another \$122.7B in ESSER III and \$2.75B in EANS funds to K-12 schools (funds available through September 2024).

## ARP Act

Signed by President Biden 11 March 2021	
\$1.9 Trillion in pandemic relief	
\$122.7 Billion in ESSER III funds	\$2.75B in EANS funds

**Figure 6** below shows ESSER III allocation table for all states (revised Jun 2021).<sup>15</sup>

	Revised Total ARP ESSER Funds	Revised Min LEA Distribution (90%)	Revised Max SEA Reservation <sup>1</sup> (10%)	Revised Max SEA Admin (1/2 of 1%)
<b>TOTAL</b>	<b>121,974,800,000</b>	<b>109,777,320,000</b>	<b>12,197,480,000</b>	<b>609,874,000</b>
ALABAMA	2,021,518,529	1,819,366,676	202,151,853	10,107,593
ALASKA	358,770,937	322,893,843	35,877,094	1,793,855
ARIZONA	2,583,943,517	2,325,549,165	258,394,352	12,919,718
ARKANSAS	1,254,119,960	1,128,707,964	125,411,996	6,270,600
CALIFORNIA	15,079,696,097	13,571,726,487	1,507,969,610	75,398,480
COLORADO	1,167,153,961	1,050,438,565	116,715,396	5,835,770
CONNECTICUT	1,106,696,657	996,026,991	110,669,666	5,533,483
DELAWARE	410,861,389	369,775,250	41,086,139	2,054,307
DISTRICT OF COLUMBIA	386,476,999	347,829,299	38,647,700	1,932,385
FLORIDA	7,043,370,152	6,339,033,137	704,337,015	35,216,851
GEORGIA	4,252,431,691	3,827,188,522	425,243,169	21,262,158
HAWAII	412,530,212	371,277,191	41,253,021	2,062,651
IDAHO	440,131,922	386,118,730	44,013,192	2,200,660
ILLINOIS	5,058,601,934	4,552,741,741	505,860,193	25,293,010
INDIANA	1,996,145,076	1,796,530,568	199,614,508	9,980,725
IOWA	775,053,259	697,547,933	77,505,326	3,875,266
KANSAS	831,170,555	748,053,500	83,117,055	4,155,853
KENTUCKY	2,001,216,921	1,801,095,229	200,121,692	10,006,085
LOUISIANA	2,607,344,054	2,346,609,649	260,734,405	13,036,720
MAINE	411,429,361	370,286,425	41,142,936	2,057,147

<sup>13</sup> “Estimated Resource Costs for Implementation of CDC’s Recommended COVID-19 Mitigation Strategies in Pre-Kindergarten - Grade 12 Public Schools—United States, 2020–21 School Year,” Ketra L. Rice, CDC. [www.cdc.gov/mmwr/volumes/69/wr/mm6950e1.htm](http://www.cdc.gov/mmwr/volumes/69/wr/mm6950e1.htm).

<sup>14</sup> “U.S. Department of Education COVID-19 Handbook Volume 1: Strategies for Safely Reopening Elementary and Secondary Schools,” U.S. Department of Education. 12 Feb 2021. <https://www.ed.gov/news/press-releases/us-department-education-covid-19-handbook-volume-1-strategies-safely-reopening-elementary-and-secondary-schools-and-OPEPD-10-21-01>. And OPEPD-10-21-01 Handbook. Initially released in February 2021; updated April 2021; updated August 2021. <https://www2.ed.gov/documents/coronavirus/reopening.pdf>.

<sup>15</sup> American Rescue Plan Elementary and Secondary School Emergency Relief Fund, Authorized by the ARP Act of 2021, Public Law 117-2. [https://oese.ed.gov/files/2021/06/Revised-ARP-ESSER-Methodology-and-Allocation-Table\\_6.25.21\\_FINAL.pdf](https://oese.ed.gov/files/2021/06/Revised-ARP-ESSER-Methodology-and-Allocation-Table_6.25.21_FINAL.pdf).

	Revised Total ARP ESSER Funds	Revised Min LEA Distribution (90%)	Revised Max SEA Reservation <sup>1</sup> (10%)	Revised Max SEA Admin (1/2 of 1%)
MARYLAND	1,952,539,087	1,757,285,178	195,253,909	9,762,695
MASSACHUSETTS	3,722,478,258	1,648,275,291	183,141,699	9,157,085
MICHIGAN	3,722,478,258	3,350,230,432	372,247,826	18,612,391
MINNESOTA	1,321,564,450	1,189,408,005	132,156,445	6,607,822
MISSISSIPPI	1,628,366,137	1,465,529,523	162,836,614	8,141,831
MISSOURI	1,957,916,288	1,762,124,659	195,791,629	9,789,581
MONTANA	382,019,236	343,817,312	38,201,924	1,910,096
NEBRASKA	546,290,147	491,661,132	54,629,015	2,731,451
NEVADA	1,072,783,189	965,504,870	107,278,319	5,363,916
NEW HAMPSHIRE	350,561,159	315,505,043	35,056,116	1,752,806
NEW JERSEY	2,766,529,533	2,489,876,580	276,652,953	13,832,648
NEW MEXICO	979,761,933	881,785,740	97,976,193	4,898,810
NEW YORK	8,995,282,324	8,095,754,092	899,528,232	44,976,412
NORTH CAROLINA	3,601,780,364	3,241,602,328	360,178,036	18,008,902
NORTH DAKOTA	305,338,029	274,804,226	30,533,803	1,526,690
OHIO	4,475,243,513	4,027,719,162	447,524,351	22,376,218
OKLAHOMA	1,494,647,051	1,345,182,346	149,464,705	7,473,235
OREGON	1,121,814,984	1,009,633,486	112,181,498	5,609,075
PENNSYLVANIA	5,000,509,384	4,500,458,446	500,050,938	25,002,547
RHODE ISLAND	415,145,839	373,631,255	41,514,584	2,075,729
SOUTH CAROLINA	2,113,567,527	1,902,210,774	211,356,753	10,567,838
SOUTH DAKOTA	382,019,236	343,817,312	38,201,924	1,910,096
TENNESSEE	2,489,423,407	2,240,481,066	248,942,341	12,447,117
TEXAS	12,427,523,267	11,184,770,940	1,242,752,327	62,137,616
UTAH	615,929,016	554,336,114	61,592,902	3,079,645
VERMONT	285,223,414	256,701,073	28,522,341	1,426,117
VIRGINIA	2,110,988,891	1,899,890,002	211,098,889	10,554,944
WASHINGTON	1,853,788,024	1,668,409,222	185,378,802	9,268,940
WEST VIRGINIA	761,960,095	685,764,086	76,196,009	3,809,800
WISCONSIN	1,541,867,439	1,387,680,695	154,186,744	7,709,337
WYOMING	303,779,377	273,401,439	30,377,938	1,518,897
PUERTO RICO	2,968,079,229	2,671,271,306	296,807,923	14,840,396

**Figure 6. ESSER II funding to all states.** ESSER III funding was contingent upon meeting requirements in the Interim Final Requirements (explained below). <sup>1</sup>Each SEA must reserve, at minimum, 7 percent of its total allocation as follows: 5 percent for interventions to address learning loss, 1 percent for summer enrichment programs, and 1 percent for comprehensive afterschool programs.

**EANS.** The ARP Act appropriated \$2.75B in EANS funds,<sup>16</sup> allocated to states alongside ESSER III funds. **Figure 7** below shows EANS allocation table for all states.

State	EANS	Max for EANS Admin <sup>1</sup>	State	EANS	Max for EANS Admin <sup>1</sup>
<b>TOTAL</b>	<b>2,750,000,000</b>	<b>17,022,858</b>			
Alabama	44,895,780	224,479	Montana	12,063,324	200,000
Alaska	5,882,303	200,000	Nebraska	18,618,767	200,000
Arizona	54,444,547	272,223	Nevada	18,180,919	200,000
Arkansas	22,903,129	200,000	New Hampshire	6,698,664	200,000

<sup>16</sup> Emergency Assistance to Non-Public Schools, Authorized by the ARP Act of 2021. [https://oese.ed.gov/files/2021/04/Final\\_ARP-EANS-Methodology-and-Table-3.16.21.pdf](https://oese.ed.gov/files/2021/04/Final_ARP-EANS-Methodology-and-Table-3.16.21.pdf).

State	EANS	Max for EANS Admin <sup>1</sup>	State	EANS	Max for EANS Admin <sup>1</sup>
California	181,312,003	906,560	New Jersey	70,947,730	354,739
Colorado	28,709,729	200,000	New Mexico	17,425,938	200,000
Connecticut	15,956,897	200,000	New York	252,458,198	1,262,291
Delaware	3,889,481	200,000	North Carolina	82,951,720	414,759
District of Columbia	4,533,977	200,000	North Dakota	4,151,371	200,000
Florida	221,188,900	1,105,945	Ohio	155,190,488	775,952
Georgia	75,408,050	377,040	Oklahoma	31,482,084	200,000
Hawaii	10,365,129	200,000	Oregon	28,355,768	200,000
Idaho	21,961,960	200,000	Pennsylvania	152,741,404	763,707
Illinois	83,246,346	416,232	Puerto Rico	104,193,482	520,967
Indiana	78,874,005	384,370	Rhode Island	6,209,666	200,000
Iowa	23,744,042	200,000	South Carolina	40,560,267	202,801
Kansas	25,069,862	200,000	South Dakota	7,609,142	200,000
Kentucky	42,665,620	213,328	Tennessee	73,683,257	368,416
Louisiana	55,674,204	278,371	Texas	152,146,013	760,730
Maine	12,327,260	200,000	Utah	26,428,418	200,000
Maryland	39,248,769	200,000	Vermont	3,877,205	200,000
Massachusetts	24,826,386	200,000	Virginia	46,344,360	231,722
Michigan	86,894,397	434,472	Washington	45,744,877	228,724
Minnesota	40,488,656	202,443	West Virginia	9,763,599	200,000
Mississippi	30,461,120	200,000	Wisconsin	73,875,583	369,378
Missouri	68,641,868	343,209	Wyoming	4,683,336	200,000

**Figure 7. EANS funding to all states.** <sup>1</sup>State educational agency receiving funds under this subsection may reserve not more than greater of \$200,000 or 1/2 of 1 percent of such funds to administer services and assistance provided under this subsection to non-public schools.

**17 Mar 2021.** Secretary Cardona wrote a non-specific letter to all state education commissioners regarding ESSER funds use to safely re-open schools for in-person instruction.<sup>17</sup>

**19 Mar 2021.** The CDC issued updates to guidance for re-opening schools.<sup>18</sup>

**NOTE:** Remember that nearly all schools in the U.S. were closed in 2020 and during the early months of 2021. According to Pew Research Center, the majority of parents whose K-12 children learned online during the pandemic said their online instruction went well. The same study showed that around half of adults believed schools should provide technology to all students during the pandemic.<sup>19</sup> That is what the CARES Act funding was intended to address, and it was successful at building remote learning capabilities, even in the most rural areas of the U.S.

On 3 Jan 2022, the U.S. Census reported that the pandemic brought parents and children closer, families interacted more during Covid. There were more family dinners and more reading to young children.<sup>20</sup> This was one outstanding benefit to an otherwise difficult time for kids who wanted nothing more than to be in school with their friends.

With the signing of the ARP Act, Biden and the Secretary of Education prioritized getting children back into physical classrooms. Why? Because having children at home, bonding with their parents, and parents witnessing what children are learning defeated the mission of public education to wrestle control of children from their parents and become the sole authority over them and what values they learn. On one hand, we know parental involvement is key to student

<sup>17</sup> Letter to Chief State School Officers, 17 Mar 2021. [https://oese.ed.gov/files/2021/03/ARP\\_Letter\\_Sec\\_to\\_Chiefs\\_FINAL.pdf](https://oese.ed.gov/files/2021/03/ARP_Letter_Sec_to_Chiefs_FINAL.pdf).

<sup>18</sup> “ESSER Fact Sheet.” [https://oese.ed.gov/files/2021/03/FINAL\\_ARP-ESSER-FACT-SHEET.pdf](https://oese.ed.gov/files/2021/03/FINAL_ARP-ESSER-FACT-SHEET.pdf).

<sup>19</sup> “Parents, Their Children and School During the Pandemic,” Pew Research Center. 1 Sep 2021. <https://www.pewresearch.org/internet/2021/09/01/parents-their-children-and-school-during-the-pandemic/>.

<sup>20</sup> “Pandemic Brought Parents and Children Closer,” United States Census Bureau. 3 Jan 2022. <https://www.census.gov/library/stories/2022/01/parents-and-children-interacted-more-during-covid-19.html>.

success. Yet, some school officials tell parents they should not be involved in what public schools teach their children.<sup>21</sup> One Wisconsin lawmaker went so far as to tell parents they should have *no* say in their children’s education.<sup>22</sup>

Bringing kids back to school classrooms instantly removed parental oversight of curriculum and opened the door to a new tyranny—government indoctrination of children to shape their values and beliefs with no parental interference.<sup>23</sup>

**ESSER III. 24 Mar 2021. Two-thirds of ESSER III funds released to states** to “support ongoing efforts to re-open schools safely for in-person learning.” By spring 2021, all ESSER I funds were to be awarded and any unused ESSER I funds refunded to the DoE for re-allocation.

**9 Apr 2021.** The DoE updated its *Covid-19 Handbook* to include the “Roadmap to Re-opening Safely and Meeting All Students’ Needs.”

### Interim Final Requirements (IFR)

**22 Apr 2021.** Interim final requirements (IFR) were added to the Federal Register under ARP Act requirements.<sup>24</sup> The DoE sent states templates for four plans each state and district was required to complete and submit to the DoE: Community Engagement Checklist, Needs Assessment, Safe Return to In-Person Instruction and Continuity of Services, and Use of Funds Plan.

### American Rescue Plan Act Elementary and Secondary School Emergency Relief Fund

A Rule by the Education Department on 04/22/2021

PUBLISHED DOCUMENT

**AGENCY:**  
Office of Elementary and Secondary Education, Department of Education.

**ACTION:**  
Interim final requirements.

**DOCUMENT DETAILS**

Printed version:  
PDF

Publication Date:  
04/22/2021

Agency:  
Department of Education

### District ESSER III Plans<sup>25</sup>

#### Community Engagement Checklist and Needs Assessment

To complete the *Community Engagement Checklist*, districts had to consult with stakeholder groups on its ARP ESSER plan and give the public opportunity to provide input on plan development. Districts were instructed to consult first with students and families. Yet, of hundreds of students and families TN Liberty Network queried in Tennessee, Michigan, Illinois, Iowa, and many other states regarding input into the *Community Engagement Checklist*, few students recalled being consulted and two parents claimed they saw a brief one-page survey questionnaire asking how district money should be spent. Contrary to requirements, there was no “ongoing communication with the public” and no parent queried could find “information publicly available” on district websites (which was required to post by 21 Jun 2021 in Tennessee, for example).<sup>26</sup>

*Statute: Section 2001(i)(1) of the ARP Act requires each LEA that receives ARP ESSER funds to develop and **make publicly available** on the LEA’s website, not later than 30 days after receiving ARP ESSER funds, a plan for the safe return to in-person instruction and continuity of services for all schools, including those that have already returned to in-person instruction. Section 2001(i)(2) of the ARP Act further requires that the LEA **seek public comment** on the plan and take those comments into account in the development of the plan. Finally, section 2001(i)(3) of the ARP Act states that an LEA that*

<sup>21</sup> “Michigan Democrats Face Backlash After Telling Parents They Should Not Be Involved in What Public Schools Teach Their Children,” Stillness in the Storm. 18 Jan 2022. <https://stillnessinthestorm.com/2022/01/michigan-democrats-face-backlash-after-telling-parents-they-should-not-be-involved-in-what-public-schools-teach-their-children/>.

<sup>22</sup> “Lee Snodgrass: Dem Legislator Says Parents Shouldn’t ‘Have a Say’ in Education,” Wisconsin Right Now. 10 Feb 2022. <https://www.wisconsinrightnow.com/2022/02/10/lee-snodgrass/>.

<sup>23</sup> “School Fight: The Left Wants Control of Your Kids’ Minds,” The Ben Shapiro Show. 26 Oct 2021. <https://www.youtube.com/watch?v=pzB2CftyUPs>.

<sup>24</sup> American Rescue Plan Act Elementary and Secondary School Emergency Relief Fund, Federal Register. 22 Apr 2021. <https://www.federalregister.gov/documents/2021/04/22/2021-08359/american-rescue-plan-act-elementary-and-secondary-school-emergency-relief-fund>.

<sup>25</sup> “District: Safe Return to in-Person Instruction and Continuity of Services Plan” Template, Tennessee Department of Education. <https://eplan.tn.gov/DocumentLibrary/ViewDocument.aspx?DocumentKey=1750533&inline=true>.

<sup>26</sup> American Rescue Plan Act Elementary and Secondary School Emergency Relief Fund, Federal Register, 22 Apr 2021. <https://www.federalregister.gov/d/2021-08359/p-40>.

*developed a plan for the safe return to in-person instruction and continuity of services prior to the date of enactment of the ARP Act will be deemed to have met the requirement to develop a plan under section 2001(i)(1) as long as the plan meets the statutory requirements (i.e., is publicly available on the LEA's website and was developed after the LEA sought and took into account public comment).*<sup>27</sup>

The results of stakeholder engagement were to be used to populate the *Needs Assessment* template, explaining to the DoE where each district wanted to direct ESSER III money. Naturally, the *Needs Assessment* should have reflected exactly what was developed in the *Community Engagement Checklist*. That was rarely the case. While examining hundreds of district plans across America, no parent, student, or other community member said:

- “Teach more critical race theory (CRT)”
- “We want more social emotional learning (SEL) in our schools”
- “The government should provide mental health to our kids”

And yet, in the majority of *Needs Assessment* summaries examined across states, these three items were listed among the top five needs. Where did this information originate if not part of community engagement materials?

### Plan for Safe Return to In-Person Instruction and Continuity of Services and Use of Funds Plan

Every school district then had to complete a *Plan for Safe Return to In-Person Instruction and Continuity of Services*. Templates were completed by each school district superintendent and submitted to their state DoE or directly to the DoE in Washington.

While completing the *Safe Return Plan* for ARP ESSER III funds, school districts finally discovered what they must do to make good on ESSER III funds they accepted and how to receive future ESSER funds.<sup>28</sup>

These plans were due by the end of summer 2021, and within one month of DoE receipt of district plans, the final one-third of ESSER III funds released to states.

The *Use of Funds* plan for each district shows detail of how each district is spending allotted funds. The detail is often granular and helpful to determine if funds are spent on harmful CRT/SEL-based curriculum, inappropriate mental health services, and even harmful environmental products added to HVAC systems. Remember: IFRs make clear that all these plans discussed above are *publicly available* on each district website.

(3) *LEA Plan for Safe Return to In-Person Instruction and Continuity of Services.*

(a) An LEA must describe in its plan under section 2001(i)(1) of the ARP Act for the safe return to in-person instruction and continuity of services—

(i) how it will maintain the health and safety of students, educators, and other staff and the extent to which it has adopted policies, and a description of any such policies, on each of the following safety recommendations established by the CDC:

(A) Universal and correct wearing of masks.

(B) Modifying facilities to allow for physical distancing (e.g., use of cohorts/podding).

(C) Handwashing and respiratory etiquette.

(D) Cleaning and maintaining healthy facilities, including improving ventilation.

(E) Contact tracing in combination with isolation and quarantine, in collaboration with the State, local, territorial, or Tribal health departments.

(F) Diagnostic and screening testing.

(G) Efforts to provide vaccinations to school communities.

(H) Appropriate accommodations for children with disabilities with respect to health and safety policies.

(I) Coordination with State and local health officials.

(ii) how it will ensure continuity of services, including but not limited to services to address students' academic needs and students' and staff social, emotional, mental health, and other needs, which may include student health and food services.

<sup>27</sup> “LEA Plan for Safe Return to In-Person Instruction and Continuity of Services,” American Rescue Plan Act Elementary and Secondary School Emergency Relief Fund, Federal Register, 22 Apr 2021. <https://www.federalregister.gov/d/2021-08359/p-64>.

<sup>28</sup> Ibid. <https://www.federalregister.gov/d/2021-08359/p-66>.



**Why two allocations for ESSER III funds? ESSER I and II funds were given to states in whole allocations. Why was ESSER III funds divided into two allocations?**

**State ESSER III Plan**

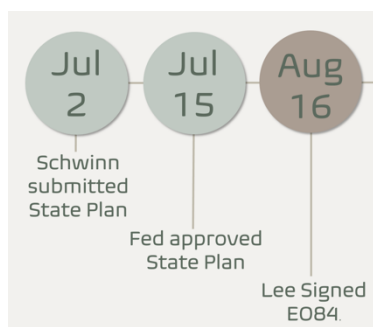
Every state Education Commissioner was required to submit its State ESSER III Plan by 7 Jun 2021.

States were able to revise their ESSER III State Plans, as did Tennessee’s Education Commissioner, Penny Schwinn, for example, on 2 Jul 2021. By signing each State Plan, Education Commissioners, like Schwinn, agreed to comply with *all* ARP requirements, including the IFR. With each signature, each state agreed to assurances in Appendix C.

Miguel Cardona sent letters to *all* states approving State ESSER III plans.

To date, all 50 states submitted State ESSER III Plans. All plans have been approved by Cardona, and allocation tables shows funds received and outstanding.

**Public Outcry Over Masks in Tennessee**



Even though most Tennessee parents and taxpayers did not make a connection between ARP ESSER III funds and overreaching Covid mandates imposed on innocent children, public outcry reached fever pitch in Tennessee by the end of the 2020 school year and during the summer school season. With the new school year looming under a shroud of tyranny, parents showed up in

force at school board meetings, drawing the ire of Joe Biden and his alphabet soup agencies who quickly labeled concerned parents “terrorists.”<sup>29</sup>

**16 Aug 2021.** Tennessee Governor Bill Lee is running for re-election in 2022, so it came as no surprise when he issued an executive order regarding mask requirements in schools, declaring that parents or guardians “shall have the right to opt out of any order or requirement for a student in K-12 to wear a face covering at school ...”<sup>30</sup>

<sup>29</sup> “Justice Dept. Threatens to Sic FBI on Parents as Domestic Terrorists,” The Sentinel, 11 Oct 2021. <https://sentinelksmo.org/justice-dept-threatens-to-sic-fbi-on-parents-as-domestic-terrorists/>.

<sup>30</sup> State of Tennessee Executive Order #84, “An Order Regarding Mask Requirements in Schools,” 16 Aug 2021. <https://publications.tnsosfiles.com/pub/execorders/exec-orders-lee84.pdf>.



### Backlash from Secretary of Education

**18 Aug 2021.** Just two days after Tennessee’s Governor issued EO84 announcing parents will have the right to opt out of mask requirements, Secretary of Education, Miguel Cardona, penned a knuckle-rapping memo to Bill Lee and Tennessee Education Commissioner, Penny Schwinn.<sup>31</sup> Similar memos were sent to Governors of Arizona, Florida, Iowa, Oklahoma, South Carolina, Texas, and Utah due to similar EOs or legislation in those states protecting freedoms and liberties of children.

The Honorable Bill Lee  
 Governor  
 State Capitol  
 Nashville, TN 37243

The Honorable Penny Schwinn  
 Commissioner of Education  
 Tennessee Department of Education  
 Nashville, TN 37243

Dear Governor Lee and Commissioner Schwinn:

As the new school year begins in school districts across Tennessee, it is our shared priority that students return to in-person instruction safely. The safe return to in-person instruction requires that school districts be able to protect the health and safety of students and educators, and that families have confidence that their schools are doing everything possible to keep students healthy. **Tennessee’s actions to block school districts from voluntarily adopting science-based strategies for preventing the spread of COVID-19 that are aligned with the guidance from the Centers for Disease Control and Prevention (CDC) puts these goals at risk and may infringe upon a school district’s authority to adopt policies to protect students and educators as they develop their safe return to in-person instruction plans required by Federal law.**

We are aware that Tennessee has adopted an Executive Order prohibiting local educational agencies (LEAs) from adopting requirements for the universal wearing of masks.<sup>31</sup> This State level action against science-based strategies for preventing the spread of COVID-19 appears to restrict the development of local health and safety policies and is at odds with the school district planning process embodied in the U.S. Department of Education’s (Department’s) interim final requirements. As you know, the American Rescue Plan Act of 2021 (ARP Act) requires each LEA that receives Elementary and Secondary School Emergency Relief (ARP ESSER) funds to adopt a plan for the safe return to in-person instruction and continuity of services. (See section 2001(i).) The Department’s interim final requirements cl plan “must describe...how [the LEA] will maintain the health and safety of stu and other staff and the extent to which it has adopted policies, and a description of policies, on each of the following safety recommendations established by the C recommendations include “universal and correct wearing of masks.”


**Arizona, Florida, Iowa, Oklahoma, South Carolina, Tennessee, Texas, Utah**

Aug  
18

**TN’s EO84 “... is at odds ... with ARP Interim Final Requirements ...”**

**The Fed “... will monitor ... Federal fiscal requirements.”**

We are eager to partner with Tennessee on any efforts to further our shared goals of protecting the health and safety of students and educators. In addition, the Department will continue to closely review and monitor whether Tennessee is meeting all of its Federal fiscal requirements. It’s critical that we do everything in our power to provide a safe environment for our students and staff to thrive.

Sincerely,  
  
 Miguel A. Cardona, Ed.D.

**Shelby County, TN, Lawsuit 27 Aug 2021.** Shelby County, Tennessee, and two families filed lawsuits against Governor Bill Lee over his mask opt-out EO.<sup>32</sup> Shelby County receives the most ESSER I, II, and III funds of any TN county: \$775,812,322.

No wonder they sued to keep masking their kids. Shelby County dropped its lawsuit against Governor Lee but Tennessee mask legislation is currently on temporary hold by a federal judge.<sup>33</sup>

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UNITED STATES DISTRICT COURT  
 WESTERN DISTRICT OF TENNESSEE  
 WESTERN DIVISION

G.S., by and through his parents and next friends, BRITTANY AND RYAN SCHWAGERT; S.T., by and through her mother and next friend, EMILY TREMEL; and on behalf of those similarly situated,

Plaintiffs,

v. \_\_\_\_\_ Case No. \_\_\_\_\_

GOVERNOR BILL LEE, in his official capacity as GOVERNOR OF TENNESSEE, SHELBY COUNTY, TENNESSEE,

Defendants.

COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF PURSUANT TO THE AMERICAN WITH DISABILITIES ACT AND SECTION 504 OF THE REHABILITATION ACT

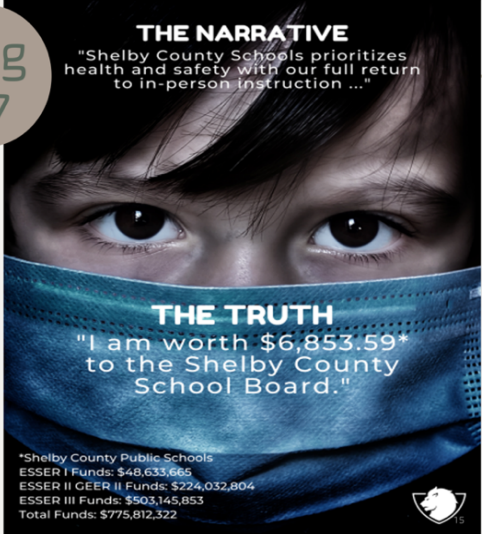
Plaintiffs, G.S., S.T., and their parents and next friends, bring this action for declaratory and injunctive relief on behalf of themselves and a class of similarly situated disabled children who at severe risk of illness and injury due to their disabilities and allege as follows:

I. INTRODUCTION

“If you want to protect your kid from the virus or from quarantine, the best way to do that is to have your kid in school with a mask.”

– Governor Bill Lee, speaking about the COVID-19 Pandemic.<sup>31</sup>

Aug  
27



<sup>31</sup> Letter to Tennessee on protecting the health and safety of K-12 students. <https://oese.ed.gov/files/2021/08/21-007071-Letter-from-Secretary-Cardona-Tennessee.pdf>.

<sup>32</sup> “Shelby County Schoolchildren ADA Class Action Lawsuit,” Consider the Consumer. 7 Sep 2021. <https://considertheconsumer.com/class-actions/shelby-county-schoolchildren-ada-class-action-lawsuit-parents-of-disabled-children-vs-the-tennessee-government-over-no-masks-rule>.

<sup>33</sup> “Shelby County Drops Lawsuit Against Gov. Lee,” Action News Memphis. 15 Nov 2021. <https://www.msn.com/en-us/news/crime/shelby-county-drops-lawsuit-against-gov-lee/ar-AAQK1br>.

## ESSER III Concerns

Every state and every citizen should be concerned with what is in State and District ESSER III plans. Masking and other CDC-related mandates, CRT/SEL requirements connected to age-inappropriate curriculum and books in libraries—books with sexual and pornographic content, race-baiting, America-hating, and Marxist indoctrination. If your child is white, he or she is an oppressor. If your child is black, he or she is a victim.

There are also overreaching mental health requirements, data collection and invasion of privacy, and potential environmental issues from chemical additives to HVAC systems to meet improved ventilation requirements.<sup>34</sup>

### Mental and Physical Health

IFRs from the ARP Act related to mental and physical health have been codified into law in some states, like Colorado.<sup>35</sup>

### Sex Education

Sex education laws passed in Illinois are now sifting through other state borders. These are National Sex Education Standards being implemented in schools without parental knowledge or consent.<sup>36</sup> Children in elementary and middle school are being taught gender dysphoria with the Genderbread Person. They are forced to talk about gender identity and sex transitioning. Cis male, Cis female, transgender, sex gender. This is child abuse and child endangerment.

## The BIG Questions

Must districts comply with ARP Act requirements per Appendix C Assurances to keep and receive future funds? Can schools lose funding because of noncompliance? Can the federal government take away funding once districts receive them?

**14 Jan 2022.** The Biden administration weaponized the U.S. Treasury Department to go after Covid relief money given to Arizona after the state's anti-mask rules were finalized.<sup>37</sup> Governor Doug Ducey defiantly sued the Biden administration to stop the U.S. Treasury from recouping Covid relief funds from Arizona.<sup>38</sup>

**COLORADO** Mental Health in Schools? WHY IT MATTERS

School Based Health Clinics are increasing in middle and high schools. Recent laws expanded ability for kids to get medical and psychotherapy treatment **without parental consent.**

CO SB21-016 Children **of any age** receive treatments for STDs, inc. drugs and HPV/Hep B vaccines **without parental knowledge or consent.** CO HB19-1120 Psychotherapy treatment for minors 12+ **without parental knowledge and consent.** CO SB20-163 requires parents or students over 18 attending college to take a **re-education module** to obtain a personal/religious exemption from any vaccine (inc. C-19 vaccine for college students).

### Summary of the National Sex Education Standards Illinois Comprehensive Sex Education Bill SB818

#### GRADE K-2

1. Identify different kinds of families. (single parent, intergenerational, cohabiting, adoption, foster, same gender, interracial)
2. Define gender, gender identity and gender role stereotypes.
3. List medically accurate names for body part, including the genitals.



#### SEXUAL IDENTITY

#### GRADE 3-5

1. Explain common human sexual development and the role is hormones (romantic, sexual feelings, masturbation, mood swings)
2. Describe the role hormones play in the physical, social, cognitive and emotional changes during adolescence and the potential role of hormone blockers on young people who identify as transgender.
3. Outline and explain the differences between gender, transgender, gender non binary, gender and gender identity. Explain that gender aggression and gender identity exist along a spectrum.
4. Differentiate between sexual orientation and gender identity.



#### Masturbation

<sup>34</sup> “How Billions in Covid Stimulus Funds Led to Dangerous, Tyrannical Policies in U.S. Schools,” The Defender, Children’s Health Defense. 20 Jan 2022. <https://childrenshealthdefense.org/defender/covid-stimulus-funds-dangerous-tyrannical-policies-schools/>.

<sup>35</sup> CO SB21-016 passed 21 to 13. Signed 6 Jul 2021. <https://leg.colorado.gov/bills/sb21-016>.

CO HB19-1120 passed 40-24. Signed 16 May 2019. <https://leg.colorado.gov/bills/hb19-1120>.

CO SB20-163 passed 63 to 2. Signed 26 Jun 2020. <https://leg.colorado.gov/bills/sb20-163>.

<sup>36</sup> IL SB0818 signed by Governor 20 Aug 2021 (Public Act 102-0522).

<sup>37</sup> “Biden Administration Threatens to Rescind Stimulus Funds from Arizona over Anti-Mask School Policy,” The Washington Post. 14 Jan 2022. <https://www.washingtonpost.com/us-policy/2022/01/14/biden-arizona-coronavirus-stimulus-masks/>.

<sup>38</sup> “Arizona Sues to Stop Treasury from Recouping Relief Funds,” New York Times. 24 Jan 2022. <https://www.nytimes.com/2022/01/21/us/politics/arizona-sues-covid-masks.html>.

Can the federal government take back funding for noncompliance with ARP Act requirements? The answer is: They will try!

Arizona was one of eight states that issued anti-mask legislation and executive orders. Who is Biden's next target? Will this act of tyrannical overreach spur school districts across America to enforce ARP Act requirements more strictly?

## Now That We Know

Now that we know the nightmare-inducing details of how fast and loose our government behaves with our tax dollars and our most precious resource of all (our children), let's connect the dots between the most money ever doled out to schools by the federal government and the real issues. Our kids are suffering from a mental and physical health crisis because of lockdowns and quarantines and curriculum that has nothing to do with reading, writing, and arithmetic. Our kids are suffering from learning loss and the continuous trudge toward Gomorrah, where we must open little girls' bathrooms to boys in exchange for lunch money. Have we seen the tip of the iceberg or is there something worse hiding under the surface?

We must face facts. ESSER funds are no longer the "carrot" for schools to collect "free" millions in Covid relief money. These funds now carry a very big stick. And that stick is being used in all 50 states to hold our kids' ransom. ESSER IV is coming. What pound of flesh will it demand? What about ESSER V? The ESSER timeline shows allocations through the end of 2028.

Finally, let's take this sordid tale of a strategically-placed bioweapon to its logical conclusion.

The timeline of Covid relief money pouring into states shows willful disrespect for states' rights, a negligent disregard for taxpayers' sweat equity, and deliberate physical and mental abuse of children—from preschoolers to college students. The federal government has behaved like an organized crime enterprise, engaging in a pattern of racketeering crimes punishable under the Racketeer Influenced and Corruption Organizations (RICO) Act, criminal statute 18 U.S.C.A. § 1963, including bribery, fraud, and extortion by coercive, fraudulent, extortionary schemes. Millions of parents across America must stop crying at the altar of school boards and take this fight to the courts. Name and blame every governor, every lawmaker, every state health commissioner, every state education commissioner, every school superintendent, and every school board member. Name and blame every party complicit in this travesty committed on our children until they come to our side of the fight. And don't stop until the entire Interim Final Requirements are removed and repealed from the ARP Act.

## Think About This

ESSER I and II funds were given to states with no strings attached other than annual reporting. ESSER III funds, however, were given in TWO allotments. In Tennessee, for example:

- **24 Mar 2021.** 2/3 ESSER III funds released: \$1,658,425,387.
- **22 Apr 2021.** ARP Act Interim Final Requirements released, creating requirements Tennessee must show compliance in state and district plans to receive final 1/3 of ESSER III funds.
- **15 Jul 2021.** Final 1/3 ESSER III funds released: \$830,998,020.
- TOTAL ESSER III funds to Tennessee: \$2,489,423,407.

*What if we gave the final 1/3 of ESSER III funds back to the government?*

By Solange Reyner | Friday, 14 January 2022 04:05 PM



Comment | Print | A A

The Biden administration is threatening to take back more than \$170 million in COVID-19 aid from Arizona over anti-mask rules, reports [The Washington Post](#).

The Treasury Department in a letter to Republican Gov. Doug Ducey's Office of Strategic Planning and Budgeting said the state has 60 days to either make changes to two federally subsidized state school programs or redirect the money toward "eligible uses."

The funds are intended "to mitigate the fiscal effects stemming from the COVID-19 public health emergency, including by supporting efforts to stop the spread of the virus," the Treasury Department noted in the letter.

But Arizona's two school programs use the federal money to "impose conditions on participating in or accepting a service that undermine efforts to stop the spread of COVID-19 and discourage compliance with evidence-based solutions for stopping the spread of COVID-19."



This is a solution to consider. If the IFRs were not added to ARP Act legislation until *after* the first 2/3 of the ESSER III funds were released to states, returning the final 1/3 of the funds should release states and school districts from all responsibility to comply with the IFRs.

## The Future of ESSER Funding and How to Fight Back

According to the ESSER funding timeline on the following page, ESSER is scheduled to flow freely into states through the end of 2028. ESSER I and II funds were a blessing to school districts amid full learning loss crisis. ESSER III, however, was delivered by the Biden administration through a Trojan horse full of draconian CDC mandates that have been emotionally and physically harmful to children. Even worse, the IFRs associated with ESSER III funding gave force and funding to schools across America to implement a combination of destructive social emotional learning (still a kinder, gentler name for Marxist ideology that includes critical race theory) and a full takeover of our children's mental and physical health *inside government schools by government-paid workers*. We must be aware of ESSER funding when it is allocated and track requirements associated with each new allocation if we hope to maintain any semblance of control over what children are taught and how they are treated in government schools.

We know the Biden administration's ultimate goal is to wrestle control of the hearts, minds, and souls of children from their families and remove all parental authority and oversight, making the government the sole "owner" of a slave generation they train during the 13 most formative years of our children's lives.

We now stand on the edge of a great and dark precipice, overlooking the gap we must fill to protect this and future generations. Grow a local group of concerned parents and citizens and learn together about ESSER funding and all other government funding to schools. Monitor and review every piece of education-related legislation on a state and federal level. Create action plans together with other groups around your state to confront and defeat legislation and funding that is not focused on classical education and the stewardship of children.

This is your clarion call to action. If not you, who? If not now, when? It is time to take a stand and fulfill your duty to our U.S. Constitution and to your family. We must protect our country and citizens (especially our children) from all enemies, foreign and domestic.

*To join an ESSER Takedown group in your state, please join us on Telegram: <https://t.me/FindMyTakedownGroup>. Type in your state, and TN Liberty Network admin team will place you into your state group. There, you will find other citizens in your state, discussing ESSER funding and strategizing solutions. All ESSER plans for your state are already pinned into each state group.*

