



ESSER Funds Update

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The Panelists

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Agenda

Agenda

- Overview by Bob Canavan
- Outlook by Kevin Gordon

Your Voice

- Questions and Answers



ARP, CARES, CRRSA, ESSER

2020: California schools received \$393 million in Cares Act Elementary and Secondary Education Emergency Relief (ESSER) funds, and \$1.5 billion in Coronavirus Response and Relief Supplemental Appropriations (CRRSA) ESSER II funds.

2021: Congress Passed, President Signed H.R. 1319, P.L. 117-2, \$1.86 Trillion American Rescue Plan, More COVID-19 Funding For California Schools: additional federal COVID-19 aid to support reopening schools and classrooms safely for students, staff and families.

California education allocation: **\$15,068,884,546**, Total American Rescue Plan aid to support California public schools.

California Local Education Agencies (LEAs) will receive **\$13,561,996** billion additional American Rescue Plan Elementary and Secondary Education Emergency Relief (ESSER) aid funding.

ARP, CARES, CRRSA, ESSER

American Rescue Plan (ARP) Aid funds the reopening of schools, support for individuals and unemployment insurance, vaccine and testing to combat the pandemic, and \$350 billion in aid to state, municipal and county governments to support local budgets, programs and services to avoid layoffs. County governments across the country also are receiving \$65.1 billion in American Rescue Plan aid.

California County governments are receiving: \$8,128,133,252.

American Rescue Plan Education funding: Education Department \$170.1 billion, \$169.8 billion education emergency relief.

- \$125.8 billion for K–12 formula (similar to \$1.2 trillion CARES Act and \$900 million CRRSA Aid bill ESSER Fund aid)
- \$40 billion for institutions of higher education
- \$2.75 billion to Governors for private schools with hi-poverty enrollment



ARP, CARES, CRRSA, ESSER

Distribution of American Rescue Plan K–12 Funding

Funding allocated to each state and district based on relative amount of Title I funding the state or district receives. **States are required to sub-grant at least 87.5 percent of their funding to school districts** (including charter schools that are considered school districts).

State Set-Asides: States required to set-aside funds for the following purposes:

- 5% to address learning loss
- 1% for evidence-based, comprehensive afterschool programs
- 1% for evidence-based summer enrichment
- 2.5% for educational technology

American Rescue Plan ESSER Funding

California Local Educational Agency (LEA) Funding: \$10 billion (2/3rd) of California LEA funds released to SEA in March 2021. State to release to LEAs in 60 days.

- Remaining 1/3rd (\$5 billion) released on submission of state and local plans. LEA plan must include the safe return to in-person instruction and continuity of services. Prior to making the plan publicly available, LEA must seek public comment on plan and engage in meaningful consultation with stakeholders.

California Total American Rescue Plan : **\$15,068,884,546**

California Local Education Agencies (LEAs) will receive **\$13,561,996 billion** additional American Rescue Plan Elementary and Secondary Education Emergency Relief (ESSER) aid funding

Use of ARP ESSER Funds: At least 20% of funds must be used for learning loss through evidence-based interventions responding to students' academic, social, and emotional needs. Remaining funds can be used for any allowable use under the ESEA, IDEA, Carl D. Perkins Career and Technical Education Act, Adult Education and Family Literacy Act, and the McKinney Vento Act

American Rescue Plan ESSER Funding

ARP ESSER Funds may be used to develop strategies and implement public health protocols in line with CDC guidance on reopening and operating schools to effectively maintain the health and safety of students, educators and other staff.

Period of Funds Availability: May be used for pre-award costs dating back to March 13, 2020, when national emergency declared. Available for obligation by SEAs and sub recipients (e.g. LEAs) through September 30, 2023. Note that section 2001(e) specifically authorizes an LEA to use ARP ESSER funds to develop strategies and implement public health protocols including, to the greatest extent practicable, policies in line with guidance from the CDC for the reopening and operation of school facilities to effectively maintain the health and safety of students, educators, and other staff.

Maintenance of Effort, Maintaining State Funding: (Please note: Maintenance of state funding effort) States must provide at least as much funding for K–12 and higher education in fiscal years 2022 and 2023 as a proportion of the state’s overall spending (averaged over fiscal years 2017, 2018, and 2019). Secretary of Education can waive requirement. States and districts must comply with new Maintenance of Equity requirements that prevent state and local funding cuts from disproportionately impacting high poverty districts and schools.

American Rescue Plan ESSER Funding

May an SEA or a State legislature limit an LEA's use of ESSER formula funds?*

No. Section 18003(d) of the CARES Act, section 313(d) of the CRRSA Act, and section 2001(e)(2) of the ARP Act permit an LEA to use ESSER funds for a broad range of allowable activities. Each section authorizes an LEA to use ESSER funds “for any of the following” activities. Accordingly, neither an SEA nor a State legislature has the authority to limit an LEA's use of ESSER formula funds. An SEA may require LEAs to include information in their applications about how they intend to use the funds, consistent with the SEA's regular practices or State law, as long as it does not limit how the LEAs use their funds.

May an SEA or a State legislature limit how long an LEA has to access or spend its ESSER formula funds?*

No. Under the statute, LEAs are authorized to obligate funds throughout the period of availability of those funds and, consistent with cash management requirements (e.g., the Cash Management Improvement Act (CMIA) and the Uniform Guidance requirements), draw down funds in accordance with their needs.

Source: [Frequently Asked Questions Elementary and Secondary School Emergency Relief Programs](#) (U.S. Department of Education May 2021)

ARP ESSER Purposes

- Coordinating with public health departments;
- Conducting activities to address the needs of students from low-income families, children with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and foster care youth;
- Purchasing educational technology (including hardware, software, and connectivity as well as assistive technology or adaptive equipment);
- Purchasing supplies to sanitize and clean LEA's facilities;
- Repairing and improving school facilities to reduce risk of virus transmission and exposure to environmental health hazards;
- Improving indoor air quality;
- Summer learning, and supplemental after-school programs; Mental health services;
- Addressing learning loss;
- School facility repairs to reduce risk of virus transmission and support student health;
- Implementing public health protocols, policies in line with guidance from the Centers for Disease Control and Prevention for school- reopening;
- Implementing activities to maintain the operation and continuity of services and to employ existing staff.

ARP Related Funding

Higher Education: \$39.6 billion – for public and private non-profit institutions of higher education. Must use at least 50% of funding on emergency financial aid grants to students.

- California Higher Education Funding - \$5,047,356
- Remaining 1% (\$396 million) to for-profit institutions. Must use all of the funding for financial aid grants to students.
- 7.4% is reserved for HBCUs, Minority-Servicing Institutions, Tribal Colleges and Universities.
- Bureau of Indian Education: \$850 million for BIA and for outlying areas.

ARP Related Funding

- **USDA: SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM** - Continues SNAP 15% benefit increase until Sept 30, 2021.
- **Child Nutrition Waivers:** Separate USDA Action: Waivers extended allowing school districts to provide student meals.
- **Child Care:**
 - \$39 billion for child care programs at Health and Human Services: \$15.0 billion for Child Care and Development Block Grant through Sept. 30, 2021 and \$23.975 billion for child care stabilization funding for providers.
- **Head Start:** \$1 billion available through Sept. 30, 2022.
- **Pediatric mental health services:** \$80 million pediatric mental health services added to \$420 million for community behavioral health clinics.
- **Energy: Broadband, distance learning, drinking wastewater services:** \$7.7 billion for distance learning, primarily to reimburse schools and libraries for telecommunications equipment and services costs, and consumer product safety.
 - \$7.2 billion provided to the E-rate program for home Internet access and connected devices.
 - \$0.5 billion to assist low-income households with drinking water and wastewater services.

CARES, CRRSA, ARP ESSER

Allowable Uses

- **Use of ESSER Funds Key terms:** Funds used to prevent, prepare for, or respond to COVID-19 for Student and staff health and safety, for in person instruction, for continuity of service, for learning loss responding to students' academic, social, and emotional needs.
 - Any allowable use under the ESEA, IDEA, Carl D. Perkins Career and Technical Education, Adult Education and Family Literacy, and McKinney Vento Acts. ESSER Funds may be used to develop strategies and implement public health protocols in line with CDC guidance on reopening and operating schools to effectively maintain the health and safety of students, educators and other staff.
- **ESSER Grants:** The U.S. Department of Education awarded grants to SEAs for ESSER established in the Coronavirus Aid, Relief, and Economic Security (CARES) Act, P.L. 116-136, and funded under the Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act (FY) 2021, P.L. 116-260 and the American Rescue Plan (ARP) Act of 2021, P.L. 117-2.

Source : [Frequently Asked Questions Elementary and Secondary School Emergency Relief Programs](#) (U.S. Department of Education May 2021)

CARES, CRRSA, ARP ESSER

Allowable Uses

CARES Act, CRRSA Act, and ARP Act Allowable use of funds. A State or LEA must determine:

- Is the use of funds intended to prevent, prepare for, or respond to the COVID-19 pandemic, including its impact on the social, emotional, mental health, and academic needs of students?
- Does the use of funds fall under one of the authorized uses of ESSER funds?
- Is the use of funds permissible under the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance, 2 CFR Part 200)? In particular,
- Is it necessary and reasonable for the performance of the ESSER or GEER award?

CARES, CRRSA, ARP ESSER

Allowable Uses

Any of ESSER funds (ESSER I, ESSER II, or ARP ESSER) may be used to support ESSER programs allowable uses. Activities an LEA may support are:

1. Any activity authorized by the ESEA, including the Native Hawaiian Education Act and the Alaska Native Educational Equity, Support, and Assistance Act (20 U.S.C. 6301 et seq.).
2. Any activity authorized by the Individuals with Disabilities Education Act (IDEA) (20 U.S.C. 1400 et seq.).
3. Any activity authorized by the Adult Education and Family Literacy Act (AEFLA) (29 U.S.C. 3271 et seq.).
4. Any activity authorized by the Carl D. Perkins Career and Technical Education Act of 2006 (Perkins V) (20 U.S.C. 2301 et seq.).
5. Any activity authorized by subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (McKinney-Vento)

CARES, CRRSA, ARP ESSER

Allowable Uses

6. Coordinating preparedness and response efforts of LEAs with State, local, Tribal, and territorial public health departments, and other relevant agencies, to improve coordinated responses among such entities to prevent, prepare for, and respond to COVID.
7. Providing principals and school leaders the resources necessary to address the needs of their schools.
8. Activities to address the unique needs of low-income children or students with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and children and youth in foster care, including how outreach and service delivery will meet the needs of each population.
9. Developing and implementing procedures and systems to improve the preparedness and response efforts of LEAs.
10. Training and professional development for staff of the LEA on sanitation and minimizing the spread of infectious diseases.

CARES, CRRSA, ARP ESSER

Allowable Uses

11. Purchasing supplies to sanitize and clean the facilities of the LEA, including buildings operated by such LEA.
12. Planning for, coordinating, and implementing activities during long-term closures, including providing meals to eligible students, providing technology for online learning to all students, providing guidance for carrying out requirements under the IDEA and ensuring other education services can continue to be provided consistent with all Federal, State, and local requirements.
13. Purchasing educational technology (including hardware, software, and connectivity) for students who are served by the LEA that aids in regular and substantive educational interaction between students and their classroom instructors, including low-income students and students with disabilities, which may include assistive technology or adaptive equipment.
14. Providing mental health services and supports, including through the implementation of evidence based full-service community schools.
15. Planning and implementing activities related to summer learning and enrichment and supplemental after-school programs, including providing classroom instruction or online learning during the summer months and addressing the needs of low-income students, students with disabilities, English learners, migrant students, students experiencing homelessness, and children and youth in foster care.

CARES, CRRSA, ARP ESSER

Allowable Uses

16. Addressing the academic impact of lost instructional time among an LEA's students, including low-income students, students with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and children and youth in foster care, including by—
 - a. Administering and using high-quality assessments that are valid and reliable to accurately assess students' academic progress and assist educators in meeting students' academic needs, including through differentiating instruction.
 - b. Implementing evidence-based activities to meet the comprehensive needs of students.
 - c. Providing information, assistance to parents and families on effectively supporting students, including in distance learning environment.
 - d. Tracking student attendance and improving student engagement in distance education.

17. School facility repairs and improvements to enable operation of schools to reduce risk of virus transmission and exposure to environmental health hazards, and to support student health needs.

18. Inspection, testing, maintenance, repair, replacement, and upgrade projects to improve the indoor air quality in school facilities, including mechanical and non-mechanical heating, ventilation, and air conditioning systems, filtering, purification and other air cleaning, fans, control systems, and window and door repair and replacement.

CARES, CRRSA, ARP ESSER

Allowable Uses

19. Developing strategies and implementing public health protocols including, to the greatest extent practicable, policies in line with guidance from the CDC for the reopening and operation of school facilities to effectively maintain the health and safety of students, educators, and other staff.

20. Other necessary activities to maintain LEA operations and continuity of services and continuing to employ LEA existing staff.

Summary: Use of ESSER Funds, Key terms: Funds used to prevent, prepare for, or respond to COVID-19 for student and staff health and safety, for in person instruction, for continuity of service, for learning loss responding to students' academic, social, and emotional needs, for policies in line with CDC guidance for reopening and operation of school facilities to maintain the health and safety of students, educators, and staff, for necessary activities to maintain LEA operations, services and staff.

President's Proposed Budget FY 2022 Education Funding

Overview: The President's budget requests historic funding increases for Fiscal Year (FY) 2022 . Record Department of ED increase, \$29.8 billion (41%), for new education investments . After almost ten years under statutory discretionary spending caps, FY 2022 is the first chance for Congress to set total discretionary funding based on the nation's needs not on arbitrary formulas and mandatory budget caps.

Education programs and services funded by the Labor-HHS-Education Subcommittee impact educational and skills attainment, health and well-being, child development, and productivity which have been shortchanged in the appropriations process. **The Labor-HHS-Education bill has lost more than \$20 billion in purchasing power over the last decade. It would take an allocation of \$204 billion just to return to the FY 2010 level in inflation-adjusted dollars.**

- **Title I: Historic Investments in Title I High-Poverty Schools.** The Budget proposes a historic \$36.5 billion investment in Title I schools, a \$20 billion increase from the 2021 enacted level. **The additional \$20 billion Title I investment is a new Equity Grant, not the existing state grant program,** intended to provide historically under-resourced schools with the funding needed to deliver a high-quality education to all of their students, and incentives for states to examine and address inequities in school funding systems.

President's Proposed Budget FY 2022 Education Funding

- **IDEA Support for Children with Disabilities:** The budget includes \$16 billion with a major increase of \$2.7 billion over 2021 enacted funding, for the Individuals with Disabilities Education Act (IDEA) to support special education and related services for more than 7.6 million Pre-K through 12 students. This is a significant step toward fully funding IDEA and supports providing a high-quality education to children with disabilities.
- **Physical and Mental Well-Being of Students Priority:** recognizing the profound effect of physical and mental health on academic achievement, the budget provides \$1 billion to increase the number of counselors, school psychologists, nurses, and social workers in schools.
- **Full Service Community Schools:** The proposed budget provides \$443 million to provide comprehensive wrap-around services to students and their families, from afterschool, to adult education opportunities, and health and nutrition services.
- **Early intervention services for infants and toddlers with disabilities:** The budget provides \$732 million for funding services to improve academic and developmental outcomes. The \$250 million increase would help expand service access for underserved children, including children of color and children from low-income families.
- The President's budget also calls for eliminating lead pipes service lines in drinking water systems and schools, modernizing school infrastructure, a renewed electric grid, and High-Speed Broadband.

Budget, CAPS, Reconciliation

Budget Rationale: President's FY 2022 budget projects federal debt payments to remain below historical levels through decade.

House Budget Committee: The House Budget Committee is likely to match the President's proposed defense and nondefense discretionary targets for next year by moving a procedural mechanism called a "deeming" resolution.

Deeming Resolution: A Deeming Resolution sets enforceable appropriations caps without statutory spending limits or caps, which expire after the current fiscal year. The Deeming Resolution would set budget targets providing a 1.6 percent increase for defense in FY 22, to nearly \$753 billion, and a 16.5 percent increase for domestic and foreign aid programs, to almost \$770 billion.

Spending Caps: The House and Senate would need to adopt a "deemer," in order to provide enforceable spending caps for floor debate, but it does not go to the White House for a presidential signature. The House may end up with different "deemed" spending caps for appropriators than the Senate, at least initially. The defense funding levels in the House deeming resolution could be slightly less than the President's request. House progressive Democrats might push for lower defense numbers.

Budget, CAPS, Reconciliation

Budget Resolution, Reconciliation: If the Deeming Resolution sets the FY 22 spending levels, the House Budget Committee could then draft a “shell” fiscal 2022 Budget Resolution to provide Reconciliation instructions for major proposals such as infrastructure including schools that Democratic leadership would like to pass but Republicans may not support.

Debt Ceiling: Reconciliation could also set a new national debt ceiling after the current suspension expires in early August.

American Jobs Plan and Infrastructure: The President also proposes a major infrastructure program including grants and bonds to finance school infrastructure. The Reopen and Rebuild American’s Schools Act (H.R. 604, S.96) provides grants and bond financing to underwrite school infrastructure consistent with CDC public health and safety guidelines generating local jobs.

House and Senate Committees will begin considering the President’s Budget and Infrastructure package in June and July.

Questions?

- Raise your hand by pressing the icon feature to speak.
- Type your question in the Q&A box.



Thank You!



The foremost authority on school business.

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