

| CARES ACT | CRRSA ACT | ARP ACT | CARES ACT | CRRSA ACT | ARP ACT
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FEDERAL EMERGENCY AID FOR PUBLIC EDUCATION

A Guide to Funding Amounts, Uses, and Requirements



EDUCATING
THROUGH CRISIS
COVID-19



EPP
EDUCATION POLICY
AND PRACTICE

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LIST OF ACRONYMS

SEA	State Educational Agency
LEA	Local Educational Agency
ESEA	Elementary & Secondary Education Act
CARES ACT	Coronavirus Aid, Relief, and Economic Security Act
CRRSA ACT	Coronavirus Response and Relief Supplemental Appropriations Act, 2021
ARP ACT	American Rescue Plan Act of 2021
ESSER	Elementary and Secondary School Emergency Relief
GEER	Governor's Emergency Education Relief

Now is the time to increase educator advocacy and voice.

Rather than simply trying to return to “normal,” we have an unprecedented opportunity to create the public schools all our students deserve—regardless of demography or geography.

Unions can lead the way. Working together with parents, communities and other caring stakeholders, we can advocate for equitable and just conditions for all of our students.



CRRSAA

Coronavirus Response and Relief Supplemental Appropriations Act

FUNDING FOR STUDENTS



There are three main federal laws providing emergency aid for public education.



Coronavirus Aid, Relief, and Economic Security Act (CARES Act)

March 2020



Coronavirus Response and Relief Supplemental Appropriations Act, 2021 (CRRSA Act)

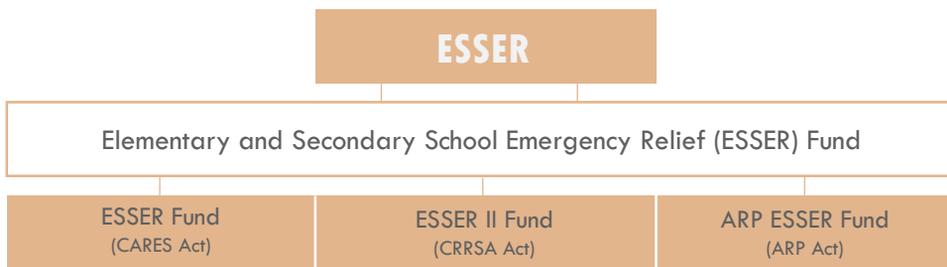
December 2020



American Rescue Plan Act of 2021 (ARP Act)

March 2021

Each law has a main source of funding for public elementary and secondary education.



There are other potential sources of funding for public elementary and secondary education under the three federal laws.



Unlike ESSER funds, GEER funds may be used for emergency grants to LEAs, institutions of higher education, or any other education-related entity as designated by the Governor.



For the portion of ESSER funds retained by the SEA (known as the “SEA Reserve”) and not allocated by formula as subgrants to LEAs, the SEA may use the funds for emergency needs as determined by the SEA to address issues responding to coronavirus, which may include grants to LEAs.

ESSER

Allocations to States

All three federal laws (CARES, CRRSA, and ARP) require the U.S. Department of Education to allocate ESSER funds based on the proportion that each state received under Title I, Part A in the most recent fiscal year.*

	<i>in thousands</i>
ESSER Fund	\$13,229,265
ESSER II Fund	54,311,004
ARP ESSER Fund	121,974,800
Total, ESSER	\$189,515,069
per student	\$3,705

Nationally, nearly \$190 billion in federal emergency aid is provided to states in support of public elementary and secondary education, or about \$3,700 per student.

From their state allocations under ESSER, SEAs may reserve up to 10 percent of their grant award for emergency needs as determined by the SEA to address issues responding to coronavirus, which may include grants to LEAs. (Under the ARP Act, most of the SEA Reserve must be further committed for specific purposes.)

	<i>maximum SEA reservation, in thousands</i>
ESSER Fund	\$1,322,927
ESSER II Fund	5,431,100
ARP ESSER Fund	12,197,480
Total, SEA Reserve	\$18,951,507

* Section 1122(c)(3) of the ESEA prohibits the Education Department from considering the Title I, Part A hold harmless provisions in ESEA section 1122 in calculating State or local allocations for any other program administered by the Secretary, including the ESSER Fund. Therefore, to determine the ESSER Fund allocations, the Department used the fiscal year 2019 (CARES Act) and the fiscal year 2020 (CRRSA Act and ARP Act) State shares of Title I, Part A allocations without the application of the hold harmless provisions in ESEA section 1122. Under the CARES Act, the Department used the fiscal year 2019 State shares of Title I, Part A allocations. Under CRRSA Act and ARP Act, the Department used the fiscal year 2020 State shares of Title I, Part A allocations.

ESSER

Allocations to LEAs

Across all three federal laws (CARES, CRRSA, and ARP), SEAs must use at least 90 percent of their grant awards to make subgrants to LEAs in proportion to the amount of funds that each LEA received under Title I, Part A in the most recent fiscal year.

minimum LEA distribution, in thousands

ESSER Fund	\$11,906,338
ESSER II Fund	48,879,904
ARP ESSER Fund	109,777,320
Total, ESSER	\$170,563,562
per student	\$3,335

Nationally, more than \$170 billion in federal emergency aid is allocated by formula to LEAs in support of public elementary and secondary education, or \$3,335 per student.

LEA Eligibility under ESSER

Under the CARES Act, if an LEA did not receive an FY 2019 Title I, Part A subgrant for school year 2019-2020, or under the CRRSA Act and the ARP Act, if an LEA did not receive an FY 2020 Title I, Part A subgrant for school year 2020-2021, the LEA is not eligible to receive a formula subgrant under ESSER. Instead, an LEA that is not eligible for a formula subgrant under ESSER may receive ESSER funds from an SEA’s Reserve as determined by the SEA.

ESSER Funds are Not Title I Funds

Although an LEA receives ESSER formula funds via the Title I, Part A formula, ESSER formula funds are not Title I, Part A funds and are not subject to Title I, Part A requirements. As such, LEAs may distribute ESSER funds to schools regardless of a school’s Title I status. All three laws authorize a broad array of potential uses by LEAs of ESSER formula funds. The ESSER Fund is a separate Federal program. ESSER funds must be awarded and tracked separately from Title I, Part A funds.

ESSER

State and Local Fund Reservations

**SEA & LEA
Reservation for
Learning Recovery**

The ARP Act requires specific reservations of funding for what the law refers to as “learning loss” (herein after referred to as learning recovery.) SEAs are required to reserve not less than 5 percent of the total amount of grant funds awarded to the state for this purpose. LEAs are required to reserve not less than 20 percent of their formula-allocated subgrant to ensure learning recovery.

minimum reservation of funding to ensure learning recovery, in thousands

SEAs	\$6,098,740
LEAs	21,955,464
Total, Reservation	\$28,054,204
per student	\$550

Nationally, at least \$28 billion in federal emergency aid must be directed to ensuring learning recovery, or \$550 per student.

SEAs, either directly or through grants or contracts, and LEAs must carry out activities to ensure learning recovery by supporting the implementation of evidence-based interventions, such as summer learning or summer enrichment, extended day, comprehensive afterschool programs, or extended school year programs, and ensure that such interventions respond to students’ academic, social, and emotional needs and address the disproportionate impact of the coronavirus on students from low-income families, students with disabilities, English learners, students from major racial and ethnic groups, gender, migrant students, students experiencing homelessness, and children and youth in foster care. SEAs can also do so by providing additional support to LEAs to fully address such impacts.

ESSER

State and Local Fund Reservations

Additional SEA Reservations for Summer Enrichment and Afterschool Programs

Under the ARP Act, of the total amount of grant funds awarded to the state, SEAs are required to reserve not less than 1 percent for summer enrichment programs, and not less than 1 percent for comprehensive afterschool programs.

SEA minimum reservation of funding, in thousands

Summer enrichment	\$1,219,748
Afterschool programs	\$1,219,748

Nationally, at least \$1.2 billion in federal emergency aid must be dedicated for summer enrichment programs, and at least \$1.2 billion for comprehensive afterschool programs.

SEAs, either directly or through grants or contracts, must carry out the implementation of evidence-based summer enrichment programs and comprehensive afterschool programs, and ensure such programs respond to students’ academic, social, and emotional needs and address the disproportionate impact of the coronavirus on students from low-income families, students with disabilities, English learners, students from major racial and ethnic groups, gender, migrant students, students experiencing homelessness, and children and youth in foster care.

ESSER

Period of Availability

Period of Availability through 09/30/2021 | 09/30/2022 | 09/30/2023 | 09/30/2024 |

ESSER Fund | CARES Act

\$13.2 billion

*includes the Tydings period**

ESSER II Fund | CRRSA Act

\$54.3 billion

*includes the Tydings period**

ARP ESSER Fund | ARP Act

\$122.0 billion

*includes the Tydings period**

The period of availability represents the length of time that ESSER funds are available for obligation by SEAs and LEAs and other education-related entities. ESSER funds are “obligated” when the SEA or LEA commits those funds to specific purposes.** For example, under the CARES Act, ESSER funds are available for obligation by LEAs through September 30, 2022, which includes the Tydings period. ESSER funds may be used for pre-award costs dating back to March 13, 2020, when the national emergency was declared.

SEA Deadline for Awarding Funds

For the CARES Act and CRRSA Act, SEAs must award ESSER formula subgrants to LEAs within one year of receiving the state allocation. For the CARES Act, that would be April through June 2021, depending on an SEA’s award date. For CRRSA, that would be January 2022. For ARP, the SEA must do so in an expedited and timely manner and, to the extent practicable, not later than 60 days after the SEA receives those funds. Under all three laws, an SEA must also make awards with its SEA Reserve within one year of receiving the state allocation.

Awarding vs Obligating Funds

It’s important to understand the difference between “awarding” funds and “obligating” funds. An SEA awards funds when it makes a subgrant to an LEA, or, in the case of the SEA Reserve, when it enters into a subgrant or contract with a subrecipient. If an SEA awards a contract from the SEA reserve, that is an obligation. In contrast, subgranting funds to an LEA or other subrecipient is not an obligation; rather, these funds are not obligated until the LEA or other subrecipient commits the funds to specific purposes.

* In general, under the Tydings provision (General Education Provisions Act §421(b)(1)), any funds not obligated and expended during the period for which they were awarded become carryover funds and may be obligated and expended during the succeeding fiscal year.

** Consistent with 34 C.F.R. § 76.707.

ESSER

Fiscal Requirement: Maintenance of Effort

Baseline Data Calculation

ESSER Fund (CARES Act)

ESSER II & ARP ESSER Funds

Level of state support for elementary and secondary education

Proportional level of state support for elementary and secondary education relative to the state’s overall spending

FY 2017	\$	%
FY 2018	\$	%
FY 2019	\$	%
Average	\$	%

Fiscal Years Applicable

Fiscal Years 2020 and 2021

Fiscal Year 2022, ESSER II
Fiscal Years 2022 and 2023, ARP ESSER

As a condition of receiving ESSER funds under the CARES Act, a state must maintain support for elementary and secondary education in each of fiscal years 2020 and 2021 at least at the level of support that is the average of that provided in fiscal years 2017, 2018, 2019. Under CRRSA and ARP, the maintenance of effort requirement shifted from a dollar level of support to a percentage level of support—a state must maintain support for elementary and secondary education in each of fiscal years 2022 and 2023 at least at the proportional levels of support relative to a state’s overall spending, averaged over fiscal years 2017, 2018, and 2019.*

Data and Methodology Requirements

In quantifying its support for elementary and secondary education, the data used by the state to determine the level of support must—

- include funds provided through the principal funding mechanisms through which a state provides support for elementary and secondary education;
- be consistent from year to year; and
- be based on adequate documentation that substantiates the levels of support that it has used in making its calculations.

* The maintenance of effort requirement also applies to state support for higher education.

ESSER**Fiscal Requirement: Maintenance of Effort***State Flexibility*

States are provided some latitude in determining their level of support for elementary and secondary education. For example, a state may choose to determine its level of support—

- on the federal or state fiscal year;
- solely on the basis of the amount of funds provided through its primary elementary and secondary education funding formula(e);
- by including categorical and other support that is not provided through the primary funding formula(e);
- on the basis of data that it provides for other purposes;
- on either an aggregate or per-student basis.

Data Submission Timelines

The U.S. Department of Education will collect baseline data for the ESSER Fund (CARES Act) by September 1, 2020. The Department intends to collect data on a state's level of support for elementary and secondary education for FY 2020 and FY 2021 approximately 90 days after the close of the respective fiscal years.

Waiver

All three laws contain a waiver provision. Under the CARES and CRRSA Acts, the U.S. Department of Education may waive the elementary and secondary maintenance of effort requirement for the purposes of relieving fiscal burdens on states that have experienced a precipitous decline in financial resources. Under the ARP Act, the Department may waive the requirement for the purpose of relieving fiscal burdens incurred by states in preventing, preparing for, and responding to the coronavirus. The Department anticipates reviewing requests for waivers under the CARES Act at the end of FY 2021 (i.e., after September 2021). At that time, the Department will consider any requests for waivers related to the State's FY 2020 and 2021 levels of support.

Limitation as a Fiscal Guardrail

None of the three laws contain a prohibition on supplanting of funds. As such, ESSER funds may take the place of state or local funds for allowable activities. The maintenance of effort requirement is intended to minimize state actions to substantially reduce its support for elementary and secondary education. In addition, the ARP Act included \$350 billion in general aid for State, local, Tribal, and territorial governments that may also be used to support public elementary and secondary education and/or help close revenue shortfalls or budget deficits and preclude states from supplanting state and local funds with federal funds or reducing support for public education.

ESSER

Fiscal Requirement: Maintenance of Equity

High-Need and Highest Poverty LEAs Defined

	% of Economically Disadvantaged Students, Rank Order, Highest to Lowest	Cumulative % of State's Total Enrollment
LEA 1	78%	11%
LEA 2	64%	18%
LEA 3	52%	24%
LEA 4	41%	35%
LEA 5	37%	47%
LEA 6	29%	55%
LEA 7	23%	67%
LEA 8	19%	79%
LEA 9	14%	88%
LEA 10	9%	100%

Highest Poverty LEAs

Among the group of LEAs in the state that, in rank order, have the highest percentages of economically disadvantaged students in the state, and collectively serve not less than 20 percent of the state's total enrollment.

High-Need LEAs

Among the group of LEAs in the state that, in rank order, have the highest percentages of economically disadvantaged students in the state, and collectively serve not less than 50 percent of the state's total enrollment.

Hypothetical data for illustration purposes only.

SEA Maintenance of Equity Requirement

As a condition of receiving ESSER funds under the ARP Act, should a state reduce state funding in fiscal year 2022 or 2023, it may not do so in a manner that reduces funding for the highest poverty LEAs or high-need LEAs by a disproportionately greater amount (as calculated on a per-pupil basis). Specifically, the state is prohibited from—

- (1) reducing state funding on a per-pupil basis for any **high-need LEAs** by an amount that exceeds the overall per-pupil reduction in state funds across all LEAs; and
- (2) reducing state funding on a per-pupil basis for any **highest poverty LEAs** below the level of per pupil funding provided to these LEAs in fiscal year 2019.

ESSER

Fiscal Requirement: Maintenance of Equity

High-Poverty School Defined

% of Economically Disadvantaged Students, Rank Order, Highest to Lowest

School A	58%	Quartile 1 (highest)
School B	54%	
School C	42%	Quartile 2
School D	37%	
School E	31%	Quartile 3
School F	29%	
School G	23%	Quartile 4 (lowest)
School H	17%	

High-Poverty School

A school that is in the highest quartile of schools served by an LEA based on the percentage of economically disadvantaged students served as determined by the state.

In making its determination, the state must select a measure of poverty established for this purpose by the Secretary of Education and apply the measure consistently across all schools in the state.

Hypothetical data for illustration purposes only.

LEA Maintenance of Equity Requirement: Per-Pupil Funding and Full-Time Equivalent Staff

As a condition of receiving ESSER funds under the ARP Act, should an LEA reduce per pupil funding (from combined State and local funding) in fiscal year 2022 or 2023, it may not do so in a manner that reduces per pupil funding for any high poverty school that it serves at a greater amount than the per pupil funding reduction across all schools within the LEA.

The same prohibition applies to full-time equivalent staff. Should an LEA reduce per-pupil full-time equivalent staff in fiscal year 2022 or 2023, it may not do so in a manner that reduces per-pupil full-time equivalent staff for any high poverty school that it serves at a greater level than the per-pupil full-time equivalent staff reduction across all schools within the LEA.

Exceptions

The maintenance of equity requirement would not apply to an LEA in fiscal year 2022 or 2023 that meets at least one of the following criteria—

- a total enrollment of less than 1,000 students;
- operates a single school;
- serves all students within each grade span with a single school; or
- demonstrates an exceptional or uncontrollable circumstance, such as unpredictable changes in student enrollment or a precipitous decline in financial resources, as determined by the Secretary of Education.

ESSER

State Application & State Plan Requirements

To expedite the release of ARP ESSER funds, the U.S. Department of Education issued a grant equal to two-thirds of the SEA's ARP ESSER allocation. In accepting the funds, the Chief State School Officer assures that the SEA will comply with the following requirements, which will be required as part of the SEA's application for the remainder of its ARP ESSER allocation.

ARP ESSER
State Plan

The state's ARP ESSER plan must be submitted as part of the SEA's application for the remainder of its ARP ESSER allocation within the deadline established by the Secretary of Education (e.g., within 45 days of the Department's issuance of the application), and contain information as the Secretary may require. Among other requirements, the plan must contain information on the following—

Stakeholder engagement. The state plan must contain information on how the SEA consulted with stakeholders and the public, including students, families, civil rights organizations including disability rights organizations, school administrators, superintendents, and educators and their unions, and provided an opportunity for and incorporated, as appropriate, input in development of its ARP ESSER plan.

States and school districts are already actively developing their plans for the use of ARP ESSER funds. As this planning continues, consultation with and input from stakeholders and the public, including students, families, civil rights organizations including disability rights organizations, school administrators, superintendents, and educators and their unions, should be an essential component of the process.

*Miguel A. Cardona, EdD
Secretary*

U.S. Department of Education

Building LEA capacity. The state plan must contain information on how the SEA will support LEAs in building capacity to promote healthy and safe learning environments and support students' social, emotional, mental health, and academic needs; making evidence-based, equity-driven ARP ESSER spending decisions; engaging a diverse range of stakeholders, including students, families, and educators; tracking how resources are targeted and outcomes achieved; and ensuring appropriate fiscal monitoring and controls.

ESSER

LEA Plan on Safe Return to In-Person Instruction

LEA Plan LEAs receiving funds under the ARP Act must develop and make publicly available on the LEA's website, not later than 30 days after receiving its allocation of funds, a plan for the safe return to in-person instruction and continuity of services.

Before making the plan publicly available, the LEA must seek public comment on the plan and take such comments into account in the development of the plan.

Exception

This requirement is not applicable to LEAs that have developed a plan for the safe return to in-person instruction before the date of enactment of the ARP Act, and that meet the requirements described above.

All allowable fund uses added to subsequent federal emergency aid laws are also allowable under the preceding laws. For example, ESSER funds under the CARES Act may be used for the same allowable purposes as ESSER II and ARP ESSER.

1-2

EMPLOYING EXISTING OR HIRING NEW STAFF + OTHER ACTIVITIES AS NEEDED

3-4

LEARNING RECOVERY + SUMMER SCHOOL & AFTERSCHOOL PROGRAMS

5

UNIQUE NEEDS OF STUDENTS

6

MENTAL HEALTH SERVICES & SUPPORTS

7

ACTIVITIES UNDER ESEA, IDEA, CTEA, & AEFLA

8

PURCHASING EDUCATIONAL TECHNOLOGY

9-12

PREPAREDNESS & RESPONSE + COORDINATION WITH PUBLIC HEALTH DEPARTMENTS + PUBLIC HEALTH PROTOCOLS + LONG-TERM CLOSURES

13-14

SANITATION SUPPLIES & PPE + STAFF TRAINING ON SANITATION & PREVENTION

15-16

INDOOR AIR QUALITY IN SCHOOL FACILITIES + SCHOOL FACILITY REPAIRS & IMPROVEMENTS

ESSER

Employing Existing or Hiring New Staff + Other Activities as Needed

Authorized Use of Funds Legislative Language

A local educational agency, State, or other entity that receives funds shall, to the greatest extent practicable, continue to pay its employees and contractors during the period of any disruptions or closures related to coronavirus; continue to employ existing staff of the local educational agency; and other activities that are necessary to maintain the operation of and continuity of services in local educational agencies.

US Department of Education Examples of Allowable Fund Uses

- To avoiding devastating layoffs and hire additional educators to address learning loss, provide support to students and existing staff, and provide sufficient staffing to facilitate social distancing.
- To hire additional school personnel, such as nurses and custodial staff, to keep schools safe and healthy.
- To invest in staff capacity; and ensure that all students have access to teachers, counselors, and other school personnel to support their needs.

NEA Recommended Fund Uses

- ❖ Increasing staffing to make abundant use of small-group learning the norm to increase time on task, personalized instruction and feedback, and relationship building during the regular school day and in extended learning settings. The pandemic has necessitated small-group learning in order to create safe physical distancing and lower the risk of COVID-19 transmission. Federal and state resources should ensure that schools are able to keep classes small, allowing students to receive more individualized instruction that will benefit them now and well beyond the pandemic, particularly our most vulnerable learners.
- ❖ Ensure that our highest-need students have access to high-quality learning experiences by recruiting and retaining substantially more specialized instructional support personnel (therapists, counselors, speech-language pathologists, school psychologists, behavioral specialists, school nurses, etc.) and specialized teachers and classroom paraprofessionals with the necessary preparation, credentialing and expertise in early childhood education, bilingual education and special education.

NEA Guidance

COVID-19 AND EDUCATOR WORKLOAD describes some of the main factors driving workload in the COVID-19 environment; identifies specific workload issues and offers key considerations when addressing those issues; and reviews processes for negotiating and collaborating to address the workload crisis among educators in the United States. <https://www.nea.org/resource-library/covid-19-and-educator-workload>

ESSER

Employing Existing or Hiring New Staff + Other Activities as Needed

NEA Guidance

ASSIGNMENTS AND STAFFING DURING COVID-19 offers suggestions for ongoing labor-management conversations related to changes in assignments and staffing. All suggestions in this guidance document should be considered in relationship to your local context. [\[link\]](#)

State and Local
Examples of Fund
Uses

Alaska

- If a member is in the process of being, or has been, fully vaccinated against COVID-19, or cannot medically get vaccinated, and has to be out due to COVID-19, the district will provide a separate paid leave of absence category that does not subtract from the member's accumulated contractual leave (such as sick leave, personal leave, or annual leave).
- If a member has not been vaccinated and has exhausted their accumulated contractual leave, the district will provide up to five days for COVID-19 related paid leave.

Arkansas

- To provide for additional paid leave for educators who need to quarantine or be out of school due to COVID-19.

Colorado

- To pay for increased instructional hours.

Delaware

- Hiring of temporary full-time teachers to serve as floating teachers to provide coverage wherever needed in the district.
- Hiring of floating substitutes.
- Bonus payments for teachers and paraeducators who commit to an expanded summer program in 2021.
- Additional stipends for teachers who voluntarily relinquish individual planning periods to provide coverage where needed.
- Hiring substitutes to monitor in-person classes for teachers providing remote instruction from home (as an ADA accommodation).
- Compensation for school nurses to conduct contact tracing outside of normal work hours.

Georgia

- \$1,000 bonuses to all education employees.

ESSER

Employing Existing or Hiring New Staff + Other Activities as Needed

*State and Local
Examples of Fund
Uses*

Hawaii

- Preventing layoffs and pay cuts.
- To continue paying shortage differentials (\$5,000 to \$10,000) to about 4,000 Hawaii State Teachers Association members across the state next school year in areas faced with chronic vacancies.

Iowa

- Pay of up to \$300 for additional hours of work and technology purchases.
- \$1,500 additional stipend per semester for virtual teachers.
- \$4,500 additional stipend for virtual teachers.
- Virtual teachers receive an additional \$500 for term 2 and \$2,160 for term 3.
- Bargained a \$600 stipend bonus for December 2021.
- Hired two new interventionists for elementary school students who need additional support.
- \$500 one-time stipend to be paid in May.
- Additional incentive pay for more intensive summer school.
- Paid teachers to develop online curriculum.
- Additional stipend for technology specialist.
- Expansion of staff for virtual campus.
- Pay for leave due to COVID-19.
- Hiring of school counselor and custodian.
- Stipend incentive for teaching summer school.
- Additional costs for substitutes.
- Paying \$35 per hour for certified staff to teach summer school, and \$15 per hour for support staff.

Michigan

- Compensate employees for additional time needed to serve student educational needs and to recruit and retain educators (many who are leaving the profession during the pandemic).
- Hire school nurses to address physical health needs in schools.
- Employ additional mental/emotional health experts to provide the additional needed services to students due to the emotional/social stresses brought about by the pandemic.

New Mexico

- All employees covered under the NEA-Santa Fe bargaining unit will receive a one-time \$1,000 retention payment as part of an MOU.

ESSER

Employing Existing or Hiring New Staff + Other Activities as Needed

*State and Local
Examples of Fund
Uses**Ohio*

- To offset the large costs for paid FFCRA leave (EPSL and EFMLA).

Tennessee

- To pay cafeteria staff salaries and benefits during COVID19 school closures.
- Bus drivers' salaries and benefits (for additional bus drivers in case of COVID-19 exposures for the schools).
- Additional staff (substitute teachers and other support staff) that may be needed in case of COVID-19 exposures and any absences related to COVID-19.
- To add custodial staffing at all school sites. This is in response to the parent survey, where over 80% of the parents wanted to see more disinfecting of common areas of the schools.

ESSER

Learning Recovery + Summer School & Afterschool Programs

Authorized Use of Funds Legislative Language

LEARNING RECOVERY. Local educational agencies must reserve not less than 20 percent of their funds to address learning loss through the implementation of evidence-based interventions, such as summer learning or summer enrichment, extended day, comprehensive afterschool programs, or extended school year programs, and ensure that such interventions respond to students' academic, social, and emotional needs and address the disproportionate impact of the coronavirus on students from low-income families, students with disabilities, English learners, students from major racial and ethnic groups, migrant students, students experiencing homelessness, and children and youth in foster care.

Also by 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; implementing evidence-based activities to meet the comprehensive needs of students; providing information and assistance to parents and families on how they can effectively support students, including in a distance learning environment; and, tracking student attendance and improving student engagement in distance education.

SUMMER SCHOOL & AFTERSCHOOL PROGRAMS. Planning and implementing activities related to summer learning and supplemental afterschool programs, including providing classroom instruction or online learning during the summer months and addressing the needs of low-income students, children with disabilities, English learners, migrant students, students experiencing homelessness, and children in foster care.

US Department of Education Examples of Allowable Fund Uses

- Funding summer, afterschool, and other extended learning and enrichment programs.

NEA Recommended Fund Uses

- ❖ Increase staffing to make abundant use of small-group learning the norm to increase time on task, personalized instruction and feedback, and relationship building during the regular school day and in extended learning settings. The pandemic has necessitated small-group learning in order to create safe physical distancing and lower the risk of COVID-19 transmission. Federal and state resources should ensure that schools are able to keep classes small, allowing students to receive more individualized instruction that will benefit them now and well beyond the pandemic, particularly our most vulnerable learners.

ESSER

Learning Recovery + Summer School & Afterschool Programs

*NEA Recommended
Fund Uses*

- ❖ Identify and adapt programming, in terms of grades, times, program length, meals and transportation. Given that needs and circumstances will change as more students return to more in-person schooling activities, assess critical areas of focus through memorandums of understanding.
- ❖ Labor-management collaborations should find ways to close opportunity gaps by increasing learning time for students while maintaining negotiated labor standards in collective bargaining agreements. Working together, unions and districts should agree to create new staffing positions (with fair compensation) for those who want them. Such collaborative partnerships can lead to a broader understanding of the positive use of extended learning opportunities and the implementation of effective programs for students. For example, efforts to extend learning time in Pittsburgh, Pa., and Springfield and Fall River, Mass., that started over a decade ago are still going, with strong and improving student outcomes.
- ❖ Determine interest of certified staff (teachers, paraprofessionals, student teachers, retired teachers and substitute teachers) to teach during the summer by distributing a districtwide survey. Also, provide compensation for summer work that accounts for hours devoted to instructional planning, collaborating with colleagues and bonding with students' families, in addition to time spent teaching. These programs must be voluntary for both students and staff.
- ❖ Provide union-developed and -led professional development so that programs ensure safe environments and a focus on social-emotional learning and addressing trauma. Communication between educators and district staff is key to helping educators understand their specific roles and responsibilities as well as ensuring a seamless transition to the fall.
- ❖ Require integration of state standards and learning opportunities. Time should be spent instructing and empowering students to take ownership of their learning—for example, by choosing a neighborhood problem to research and then developing improvements or solutions.

*State and Local
Examples of Fund
Uses**Delaware*

- “Recovery services” including summer school, potential Saturday academies, and afterschool programs.

ESSER

Learning Recovery + Summer School & Afterschool Programs

*State and Local
Examples of Fund
Uses*

Iowa

- More intensive summer school, including additional incentive pay.
- Middle school/high school summer school expansion.

Michigan

- Activities and personnel costs related to summer and extended learning and/or afterschool supplemental programs, such as Community Childcare.
- Provide additional one-on-one (or small group) tutoring/coaching to address interrupted learning or needs for getting students up to grade-level performance standards. This may include the purchase of additional resources needed to enhance learning outcomes as well as the personnel costs associated with providing these added services.

Ohio

- Made student devices available during the summer months and extended app agreements so that students can continue learning over the summer, and provided guided summer instruction for students most at-risk.

Tennessee

- To extend the school year 10 additional days. Funds will be used to pay salaries for teachers, educational assistants, and in school suspension/hall monitors for this additional time, and the transportation costs associated with the additional school days and alternate schedules related to social distance requirements.
- To provide materials for after-school tutoring and summer school, an expanded platform for online and distance learning, stipends for teachers to provide after school tutoring, summer school and in-school tutoring or to offer more sections of core classes, and transportation for students to the after school and summer school activities.

Washington

- High-quality instructional materials to accelerate student learning.
- Academic recovery and accelerated learning initiatives (including extended-time or extended-year initiatives or changing master schedules to promote accelerated learning).
- Interim and formative assessment tools.

ESSER

Unique Needs of Students

Authorized Use of Funds Legislative Language

Activities to address the unique needs of low-income children or students, children with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and foster care youth, including how outreach and service delivery will meet the needs of each population.

US Department of Education Examples of Allowable Fund Uses

- To equitably expand opportunities for students who need the funds most, including students from low-income backgrounds, students of color, students with disabilities, English learners, students experiencing homelessness, and students with inadequate access to technology.

NEA Recommended Fund Uses

- ❖ Ensure that our highest-need students have access to high-quality learning experiences by recruiting and retaining substantially more specialized instructional support personnel (therapists, counselors, speech-language pathologists, school psychologists, behavioral specialists, school nurses, etc.) and specialized teachers and classroom paraprofessionals with the necessary preparation, credentialing and expertise in early childhood education, bilingual education and special education.
- ❖ Ensure that professional development enables teachers and support professionals to build on English learners' strengths in their home language so they can advance in core academic subjects.
- ❖ Ensure that our highest-need and most vulnerable students receive a maximum amount of interactive, intensified one-on-one instruction. Additional tutoring support, whether virtual or in person, must be prioritized. Provide structured programming and resources for parents and caregivers of young children (from preschool to third grade) because their involvement is vital to their child's education outside of school.
- ❖ Provide legal guidance to school districts, with educator and other stakeholder input, regarding how COVID-19 compensatory and other recovery services should be provided by school districts once in-person instruction resumes. A potential model is the guidance provided by the Pennsylvania Department of Education, which focuses the use of compensatory services on those students who, after several months back in school, need extra academic support. Pennsylvania has provided extra funding for these efforts, which will consist of after-school services and summer school.

ESSER

Unique Needs of Students

*NEA Recommended
Fund Uses*

- ❖ Provide additional, targeted funding toward additional support for students with disabilities to enable them to make appropriate progress.
- ❖ Ensure every student has access to healthy and nutritious meals regardless of their ability to pay.

*State and Local
Examples of Fund
Uses**Georgia*

- Meals sent to homes.

Michigan

- Ensure adequate food for students and families who rely on schools for nutrition (i.e. free/reduced lunch).

Tennessee

- To provide compensatory services to students with disabilities outside the regular school day, either after school, on Saturdays, or during the summer. Services include occupational therapy, physical therapy, and speech/language.
- Nutrition services staff, some anticipated reimbursements for providing meals to students at traditional and charter schools, and supplies and equipment to enable nutrition services to serve students safely.

Washington

- Supporting students furthest from educational justice by engaging in anti-racist capacity building, leadership, and resource allocation; and creating the conditions for each student to be educated in racially literate, culturally sustaining, positive, and predictable environments that intentionally prioritize the instruction and development of social-emotional skills, and mental health in addition to our primary focus on academic content.
- Building anti-racist school cultures requires educators to shift the way they plan, instruct, and assess student learning; build the climate to accelerate student progress rather than remediate; utilize authentic, productive diagnostic assessments to guide and engage learners; and employ Universal Design for Learning (UDL), which embeds Social and Emotional Learning (SEL) and Culturally Responsive (CRE) practices to support students both virtually and in person. Educators must prioritize enduring concepts of content by narrowing standards to those most critical for student success in the next skill, course, or grade.

ESSER

Mental Health Services and Supports

Authorized Use of Funds Legislative Language

Providing mental health services and supports, including through the implementation of evidence-based full-service community schools.

US Department of Education Examples of Allowable Fund Uses

- To implement strategies to meet the social, emotional, mental health, and academic needs of students hit hardest by the pandemic, including through evidence-based interventions and critical services like community schools.

NEA Recommended Fund Uses

- ❖ Broaden the array of diagnostic assessments to include school-based student mental health screenings, such as those recommended by the National Center for School Mental Health at the University of Maryland School of Medicine, and investigate opportunities to leverage Medicaid reimbursements for eligible students. To measure learning conditions and student and staff experiences in the wake of COVID-19, regularly administer a school climate survey. The Aspen Institute's school climate playbook provides helpful examples. Likewise, periodically check on resilience and self-care among educators and school staff to encourage overall wellness in school. The Center on Great Teachers & Leaders at the American Institutes for Research offers a helpful self-assessment and planning tool.
- ❖ Implement community schools districtwide. The community school model can address several of the racial, social and economic injustices that students and families face. When established effectively, and with the proper resources and supports, community schools become the beating heart of family and community life. The Community Schools Playbook, developed by the Partnership for the Future of Learning (in conjunction with the NEA and AFT), offers a clear picture of the key components of effective community schools. Transforming traditional schools into true community schools will prioritize the health, well-being and academic success of not only students who attend these schools, but also their families. Community schools, like those in Las Cruces Public Schools and in the Albuquerque/Bernalillo County Community School Partnership in New Mexico, are working with our NEA and AFT affiliates to ensure learning and well-being are addressed holistically. We support deep federal investments that will dramatically expand the number of community schools and integrate opportunities for family engagement, child care and early learning.

ESSER

Mental Health Services and Supports

*State and Local
Examples of Fund
Uses**Tennessee*

- To provide a board-certified Behavior Analyst for the district, who will work with the special needs students in the district to help with any behavioral issues arising out of the COVID-19 pandemic with regard to student mental health.
- For a mental health curriculum that will increase the social-emotional well-being and regulation of students, increase appropriate behavior and academic gains. The curriculum is designed to help students develop alternative thinking strategies and create a positive learning environment.
- To provide one additional school counselor for schools in the district. This additional counselor will allow all of the schools to have counselors on site every day of the week.

ESSER

Activities under ESEA, IDEA, CTEA, and AEFLA

Authorized Use of Funds Legislative Language

Any activity authorized by the Elementary and Secondary Education Act of 1965, Individuals with Disabilities Education Act, Carl D. Perkins Career and Technical Education Act of 2006, and Adult Education and Family Literacy Act.

US Department of Education Examples of Allowable Fund Uses

- To sustain and support access to early childhood education.

NEA Recommended Fund Uses

- ❖ Support the creation of alternatives to high-stakes standardized tests and accept them for use in meeting federal testing criteria. Establish mechanisms—including well-rounded, authentic assessment systems, community surveys, town halls and other collaborative tools—as a basis for diagnosing the academic and social-emotional supports that students need to succeed. The New York Performance Standards Consortium provides an example. Praised by the Learning Policy Institute, the consortium assesses student learning through performance assessments that are collaboratively developed by educators, student focused and externally evaluated to ensure quality. Another example is the Performance Assessment of Competency Education model, which the New Hampshire Department of Education has operated since 2015 as a federally approved pilot. PACE is grounded in a competency-based educational approach designed to ensure that students have meaningful opportunities to achieve critical knowledge and skills.
- ❖ Work with states to accept requests to maximize flexibilities in assessments for the 2020-21 school year (including shorter, remote and/or delayed assessment options) and permit additional flexibilities beyond the February guidance if predicated by health and safety concerns, impracticability or impossibility, or if not in the best interests of students, families and educators.
- ❖ Commit federal funds to support job-embedded professional learning to increase educators' assessment literacy and cultural competency. Doing so will ensure educators can effectively use various assessments to diagnose student development, well-being and knowledge through the evaluation of academic and nonacademic indicators of students' mental, social and emotional health.
- ❖ Tailor and differentiate professional learning based on student data and school quality analysis to meet the needs of educators to improve student learning. Blanket professional learning mandated by the district without taking into account educators' current skills and knowledge wastes time and dollars.

ESSER

Activities under ESEA, IDEA, CTEA, and AEFLA

*NEA Recommended
Fund Uses*

- ❖ Ensure that Every Student Succeeds Act flexibilities are not interpreted or utilized to diminish states' responsibilities to English language learners or students with disabilities, especially where rights are outlined under other federal laws. States should be held accountable for continuing to provide services for the identification, evaluation and support of English language learners and students with disabilities. Ensure states and districts have a developmental milestone and early literacy and numeracy screener for young children entering kindergarten and first and second grades to inform instruction and interventions, not to categorize children into rigid groups defined by current academic skill level.
- ❖ Commit federal funds to support job-embedded professional learning that applies to all school professionals and codifies expectations for professional development (and a learning environment) that centers student success, equity, and racial and social justice; builds educators' abilities to effectively use a variety of academic and nonacademic assessments and tailor the best learning opportunities to ensure student success; establishes the importance of family and community engagement and cultural competence in the shaping and evolution of the school environment; understands and effectively uses restorative practices; and recognizes the importance of, and promotes, educator self-care and provides the necessary supports to foster it.
- ❖ Allocate federal funds to support states in building professional excellence systems that acknowledge the unique needs of educators across their teaching careers. In addition, federal funds should support the creation of teacher recognition and advancement systems, including differentiated systems and pay, that reflect opportunities for educators to serve as teacher leaders, peer observers, coaches and mentors.
- ❖ Federal funds should be used to support high school recruitment programs, programs that help para-educators become teachers, and district-university partnerships that increase the pipeline of well-prepared educators. Teacher residency programs, like those run in Seattle and San Francisco, provide examples of how districts can partner with institutions of higher education and unions to promote high-quality teacher preparation.

ESSER

Activities under ESEA, IDEA, CTEA, and AEFLA

*NEA Recommended
Fund Uses*

- ❖ Explore, advance and incentivize pathways into the profession. Many apprenticeship programs within other industrial and trade unions can serve as exemplars for the teaching profession. The NEA is eager to collaborate with federal and state governments to develop an apprenticeship program that incentivizes recent graduates to attain the skills and certifications required to fill education sector vacancies. We should look for ways to remove obstacles to entry into the education profession. Unpaid internships such as student teaching could be turned into union-facilitated apprenticeship programs that are fairly compensated (as they are in the building trades).
- ❖ Engage families and community members. Researchers cite family and community involvement as a key to addressing school dropout and note that strong school-family-community partnerships foster higher educational aspirations and more motivated students. The evidence holds true for students at both the elementary and secondary levels, regardless of parents' education, family income or background—and the research shows parent involvement enhances the academic achievement of students from under-resourced communities. Supporting teaching and learning requires addressing students' social service needs, as well as their academic ones, and this broad-based support is essential to boosting achievement. The positive impact of connecting community resources with student needs is well documented, with community support for education being one of the characteristics common to high-performing schools.

*State and Local
Examples of Fund
Uses**Ohio*

- Providing additional training to staff to improve the delivery of instruction for blended/virtual/hybrid learning environments for students.

Washington

- High-quality, evidence-based early literacy initiatives.

ESSER

Purchasing Educational Technology

Authorized Use of Funds Legislative Language

Purchasing educational technology (including hardware, software, and connectivity) for students who are served by the local educational agency that aids in regular and substantive educational interaction between students and their classroom instructors, including low-income students and children with disabilities, which may include assistive technology or adaptive equipment.

US Department of Education Examples of Allowable Fund Uses

- For Wi-Fi hotspots and devices for students without connectivity for remote learning and supporting educators in the effective use of technology.
- To purchase hardware and software applications for students and teachers.
- To provide access to high-quality digital learning content, apps, and tools that can deliver engaging and relevant learning experiences that are accessible to all students.
- To cover costs associated with making materials accessible for students with disabilities or English learners.
- To provide professional development and training for teachers on effective strategies for the delivery of remote and digital instruction.

NEA Guidance**DIGITAL EQUITY FOR STUDENTS AND EDUCATORS**

https://www.nea.org/sites/default/files/2020-10/NEA%20Report%20-%20Digital%20Equity%20for%20Students%20and%20Educators_0.pdf

*State and Local Examples of Fund Uses***Colorado**

- Purchasing technology.

Georgia

- Technology for virtual learning.

Iowa

- One-to-one computer upgrade.
- Provide internet to the homes of students.
- Online platform.

Michigan

- Expand/upgrade one-to-one technology provisions for students. Purchase additional chromebooks, software, Wi-Fi hotspots, etc.
- Purchase teaching/learning technology to improve ability to deliver remote-only instruction as needed, including video and audio equipment for educator use.

ESSER

Purchasing Educational Technology

*State and Local
Examples of Fund
Uses**Michigan*

- Upgrade connectivity abilities and internet speeds throughout buildings and in communities.
- Purchase assistive technology and/or adaptive equipment aids for students with disabilities to support/enhance their learning opportunities.

Ohio

- Expenses related to instructional programming include additional technology resources, platforms for learning including self-paced and supplemental resources as well as supporting supplemental materials and tools to meet the needs of diverse populations of students including those with more complex needs.
- Purchase of additional devices to provide 1:1 devices for kindergarten students.

Tennessee

- For Internet access for all students and the availability of a consistent learning platform that will be used by grades K-12 across the district.
- To ensure access to quality instruction, beyond the COVID-19 response period, by providing digital devices to all district students, and providing internet connectivity resources to approximately 25% of students based on need. The 1:1 initiative provides the necessary foundation for authentic blended learning.
- Purchase devices and place them on school buses and other strategic locations throughout the county to enable students to access the internet, to give special needs students additional access to services, and to hire an additional technician to support the large number of devices.

Washington

- Invest in digital access for all as a matter of educational justice.
- Support professional learning in select online learning management systems to more effectively deliver learning remotely if closures are ordered locally or statewide. Districts need to narrow their learning platforms substantially to help families navigate fewer platforms. One platform for an entire school district is ideal.

ESSER

Preparedness & Response + Coordination With Public Health Departments +
Public Health Protocols + Long-term Closures*Authorized Use of
Funds Legislative
Language*

PREPAREDNESS & RESPONSE. Developing and implementing procedures and systems to improve the preparedness and response efforts of local educational agencies

COORDINATION WITH PUBLIC HEALTH DEPARTMENTS. Coordination of preparedness and response efforts of local educational agencies 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 coronavirus.

PUBLIC HEALTH PROTOCOLS. Developing strategies and implementing public health protocols including, to the greatest extent practicable, policies in line with guidance from the Centers for Disease Control and Prevention for the reopening and operation of school facilities to effectively maintain the health and safety of students, educators, and other staff.

LONG-TERM CLOSURES. Planning for, coordinating, an 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 Individuals with Disabilities Education Act and ensuring other educational services can continue to be provided consistent with all Federal, State, and local requirements.

*US Department of
Education Examples
of Allowable Fund
Uses*

- To support LEAs in safely returning to in-person instruction, maximizing in-person instruction time, advancing equity and inclusivity in participation in in-person instruction, and sustaining the safe operation of schools.
- Providing for social distancing and safety protocols on buses.
- To partner with local health departments to provide necessary testing to students and families, as appropriate, and in compliance with applicable privacy laws, including the Family Educational Rights and Privacy Act (FERPA) and Protection of Pupil Rights amendment (PPRA).
- To implement CDC's K-12 operational strategy for in-person learning to keep educators, staff, and students safe.
- To implement COVID-19 mitigation strategies.

NEA Guidance

MITIGATION STRATEGIES FOR SAFE IN-PERSON LEARNING

<https://www.nea.org/sites/default/files/2021-03/Mitigation%20Strategies%20for%20Safe%20In-Person%20Learning.pdf>

ALL HANDS ON DECK: GUIDANCE REGARDING REOPENING SCHOOL BUILDINGS

https://www.nea.org/sites/default/files/2020-09/27383%20All%20Hands%20On%20Deck%20Reopening%20Guidance%20Update_Final%2009.2020.pdf

ESSER**Preparedness & Response + Coordination With Public Health Departments +
Public Health Protocols + Long-term Closures***State and Local
Examples of Fund
Uses**Georgia*

- Plexiglass.

Michigan

- Reduce class sizes for more individual attention for students and increase social distancing to mitigate viral spread.
- Purchase and install disease mitigation structures in classrooms, such as plexiglass barriers between student learning stations (desks/tables).

Ohio

- Provide all principals and assistant principals with professional development to support their efforts of creating customized reopening plans that are building specific.

Tennessee

- Teachers to perform additional duties related to planning for a school closure, such as supervising virtual students and building take home toolboxes for students; substitutes and benefits so that teachers might be available to build take home toolboxes and remote learning courses prior to a potential long-term closure; and the materials for the toolkits. Also, to develop print materials for a hybrid system for middle school students, which will present students with options (online or paper) for accessing instruction during a closure.
- Purchase of reading/ELA curriculum which contains consumable materials as well as online curriculum for use in case of closure.

Washington

- Establish plans for rapid transitions between face-to-face and continuous remote learning, which may be required based on health authority decisions.
- Create a flexible school calendar with additional days included to address emergency short-term school closures and the need to transition learning environments.
- Build a more effective and sustainable continuous remote learning model that will be ready to be deployed if schools are required to be closed for long periods of time.

ESSER

Sanitation Supplies & PPE + Staff Training on Sanitation & Prevention

Authorized Use of Funds Legislative Language

SANITATION SUPPLIES & PPE. Purchasing supplies to sanitize and clean the facilities of a local educational agency, including buildings operated by such agency.

STAFF TRAINING ON SANITATION & PREVENTION. Training and professional development for staff of the local educational agency on sanitation and minimizing the spread of infectious diseases.

US Department of Education Examples of Allowable Fund Uses

- To provide Personal Protective Equipment (PPE) to staff and students who need it.

NEA Guidance

MITIGATION STRATEGIES FOR SAFE IN-PERSON LEARNING

<https://www.nea.org/sites/default/files/2021-03/Mitigation%20Strategies%20for%20Safe%20In-Person%20Learning.pdf>

ALL HANDS ON DECK: GUIDANCE REGARDING REOPENING SCHOOL BUILDINGS

https://www.nea.org/sites/default/files/2020-09/27383%20All%20Hands%20On%20Deck%20Reopening%20Guidance%20Update_Final%2009.2020.pdf

*State and Local Examples of Fund Uses**Colorado*

- PPE and cleaning supplies.

Delaware

- PPE.

Georgia

- PPE.

Hawaii

- PPE.

Iowa

- PPE for students and staff.
- Cleaning supplies.

ESSER

Sanitation Supplies & PPE + Staff Training on Sanitation & Prevention

*State and Local
Examples of Fund
Uses*

Michigan

- Purchase PPE supplies (face masks, sanitation stations, installation of wash sinks in classrooms, disinfecting soap, etc.).
- Upgrade/add to cleaning equipment and increase frequency and thoroughness of building cleanings, including additional training and staffing if needed.

Ohio

- Expenses to assure appropriate cleaning, available personal protective equipment, barriers in the physical environment, posting adequate social distancing signage clearly throughout the building, in classrooms, and common spaces, and opportunities for health/safety training for all staff, students, and parents.
- Additional cleaning and safety/hygiene supplies for all facilities.

Tennessee

- Purchase of PPE equipment, hand sanitizer dispensers, refills and hardware.
- Reimbursement of cleaning supplies for the past school year that was a result of the pandemic, additional sanitation costs and cleaning costs for all schools in the district, and signage for all schools with regard to the COVID-19 pandemic.
- PPE, hand sanitizer, thermometers, supplies for deep cleaning, etc. to ensure the health and safety of students, teachers, staff, administrators, etc.
- Janitorial services, PPE such as masks, touchless thermometers, gloves, free-standing hand sanitizing stations, special filters, medical cots, cleaning supplies, and training for staff.

ESSER

Indoor Air Quality in School Facilities + School Facility Repairs & Improvements

Authorized Use of Funds Legislative Language

INDOOR AIR QUALITY IN SCHOOL FACILITIES. 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 system, and window and door repair and replacement.

SCHOOL FACILITY REPAIRS & IMPROVEMENTS. 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.

US Department of Education Examples of Allowable Fund Uses

- To improve facility cleaning and ventilation to the greatest extent possible.
- To obtain additional space to ensure social distancing in class rooms.

NEA Guidance

MITIGATION STRATEGIES FOR SAFE IN-PERSON LEARNING

<https://www.nea.org/sites/default/files/2021-03/Mitigation%20Strategies%20for%20Safe%20In-Person%20Learning.pdf>

ALL HANDS ON DECK: GUIDANCE REGARDING REOPENING SCHOOL BUILDINGS

https://www.nea.org/sites/default/files/2020-09/27383%20All%20Hands%20On%20Deck%20Reopening%20Guidance%20Update_Final%2009.2020.pdf

*State and Local Examples of Fund Uses**Delaware*

- Air quality improvements (HVAC and the purchasing of air purifiers).

Iowa

- Across multiple districts, HVAC upgrades to some or all buildings, including \$5 million HVAC upgrades in all buildings in one district.

Michigan

- Improve air handling systems/indoor air quality by testing/upgrading systems as needed, such as ensuring the proper number of air changes per hour (at least 6 air changes per hour), increasing the amount of outside air that is provided by the ventilation systems (minimum of 15 cubic feet per minute per person is recommended), improving filtration systems (minimum MERV 13), cleaning of air handling systems, and purchase portable air filtration/HEPA (MERV 17) units for classrooms.

ESSER

Indoor Air Quality in School Facilities + School Facility Repairs & Improvements

*State and Local
Examples of Fund
Uses**Michigan*

- Facility repairs and improvements that reduce the risk of virus transmission and exposure to other environmental hazards, such as converting classroom space to maintain 6 foot distancing between students, replacing old/moldy soft furnishings (chairs, carpet, etc.), respacing playground equipment (e.g., positioning swings further apart), repairing/replacing windows so they can be safely used to improve ventilation, and improving school water quality and safety, especially in buildings closed for prolonged periods of time.

ESSER

Outside Policy Expert Recommendations

*Learning Policy
Institute: Restarting &
Reinventing School*

Here are recommendations from the Learning Policy Institute that could be adapted to fit allowable uses under the ESSER funds. To learn more, see the full report, *Restarting and Reinventing School: Learning in the Time of COVID and Beyond* (August 2020) at <https://restart-reinvent.learningpolicyinstitute.org/>.

1. **Close the Digital Divide**
 - a. Prioritize federal funds to close the digital divide.
 - b. Expand broadband access through state and city initiatives.
 - c. Organize access to devices and connectivity.
2. **Strengthen Distance and Blended Learning**
 - a. Share innovative efforts among districts.
 - b. Support high-quality distance and blended learning models with educator training and materials.
 - c. Give special consideration to early childhood learning.
 - d. Develop standards for digital learning that articulate how technology should be used to empower learners.
 - e. Enact distance learning with attention to equity.
 - f. Shift from measuring seat time to engagement.
3. **Assess What Students Need**
 - a. Ensure that schools have the time and tools to take stock of children's overall needs.
 - b. Prioritize assessments that illuminate student growth and learning.
 - c. Support acceleration of learning, not remediation.
 - d. Invest in teachers' knowledge and skills for formative assessment.
 - e. Move toward more coherent systems of assessment of, for, and as learning.
4. **Ensure Supports for Social and Emotional Learning**
 - a. Implement a comprehensive system of support.
 - b. Ensure opportunities for explicit teaching of social and emotional skills at every grade level.
 - c. Infuse SEL into instruction in all classes.
 - d. Institute restorative practices.
 - e. Enact policies that enable SEL and restorative practices.

ESSER

Outside Policy Expert Recommendations

*Learning Policy
Institute: Restarting &
Reinventing School*

5. Redesign Schools for Stronger Relationships

- a. Create structures that foster health and safety, as well as personalization and trust, among children and staff.
- b. Strengthen partnerships with families.
- c. Cultivate supportive environments filled with emotional safety and belonging.
- d. Enact policies that support relationship-centered designs.

6. Emphasize Authentic, Culturally Responsive Learning

- a. Offer guidance for how schools can restart by focusing on authentic learning and assessment strategies.
- b. Provide curriculum tools and professional learning for educators to support more authentic learning and assessment.
- c. Ensure that authentic learning is also culturally connected and culturally sustaining.
- d. Build capacity for inclusive, identity-safe, culturally responsive practice.
- e. Redesign assessments to emphasize applied learning and complex problem-solving.

7. Provide Expanded Learning Time

- a. Infuse high-quality tutoring within and beyond the school day.
- b. Expand high-quality after-school programs.
- c. Create high-quality summer programs.
- d. Expand the reach and duration of early learning programs.
- e. Enact policies and access funding to support expanded learning time.

8. Establish Community Schools and Wraparound Supports

- a. Enact local policies that support well-designed community schools.
- b. Enlist regional agencies that can provide technical assistance and help coordinate local services.
- c. Create reliable funding streams to support community school needs.
- d. Create Children's Cabinets at the federal, state, and county levels to coordinate, integrate, and streamline services across agencies.

ESSER

Outside Policy Expert Recommendations

*Learning Policy
Institute: Restarting &
Reinventing School*

9. Prepare Educators for Reinventing School

- a. Invest in high-quality educator preparation, especially for high-need communities where shortages continue to be problematic.
- b. Transform educator learning opportunities to match current needs.
- c. Support mentoring and new teacher roles.
- d. Create collaboration time.
- e. Take the long view.

10. Leverage More Adequate and Equitable School Funding

- a. Leverage federal funds for equity.
- b. Adopt more equitable state school funding formulas.
- c. Include preschool in funding formulas.

ESSER

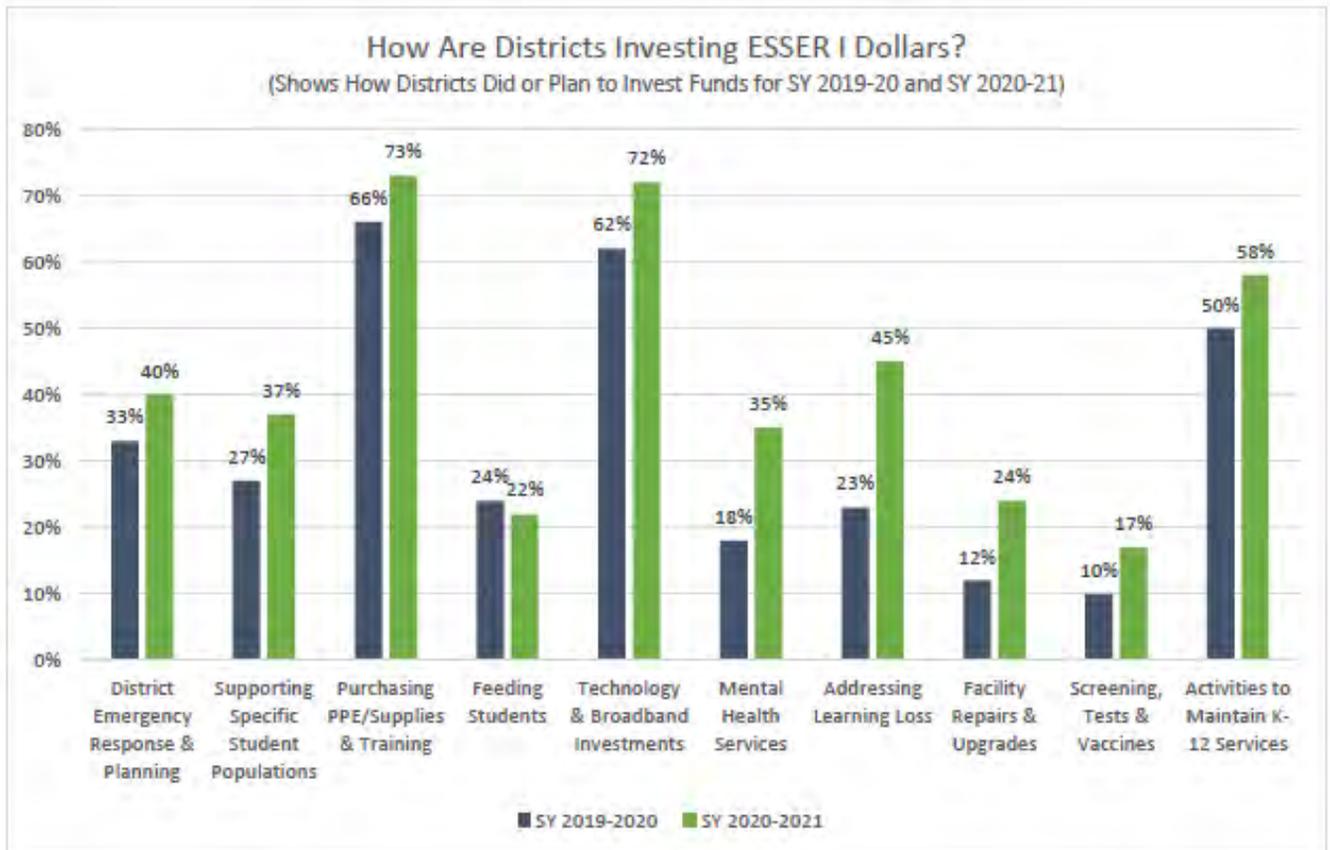
Survey of School Districts

Association of School Business Officials (ASBO) International

Here is a summary of findings *How are School Districts Investing Federal Emergency Relief Funds to Address COVID-19?* (March 2021) from the Association of School Business Officials (ASBO) International's COVID-19 financial impact survey.

District Use of ESSER I Funds for SY 2019-20 and SY 2020-21

- Across all investment categories for use of ESSER I Funds during SY 2019-20 and SY 2020-21, priorities were:
- Procuring PPE and cleaning/sanitation supplies and training staff on minimizing viral spread.
 - Purchasing technology and learning management systems for students and improving broadband access/connectivity to address the homework gap.
 - Other activities to maintain continuity of education services (e.g., salaries/wages, contracts, and other expenses not covered in other investment categories).



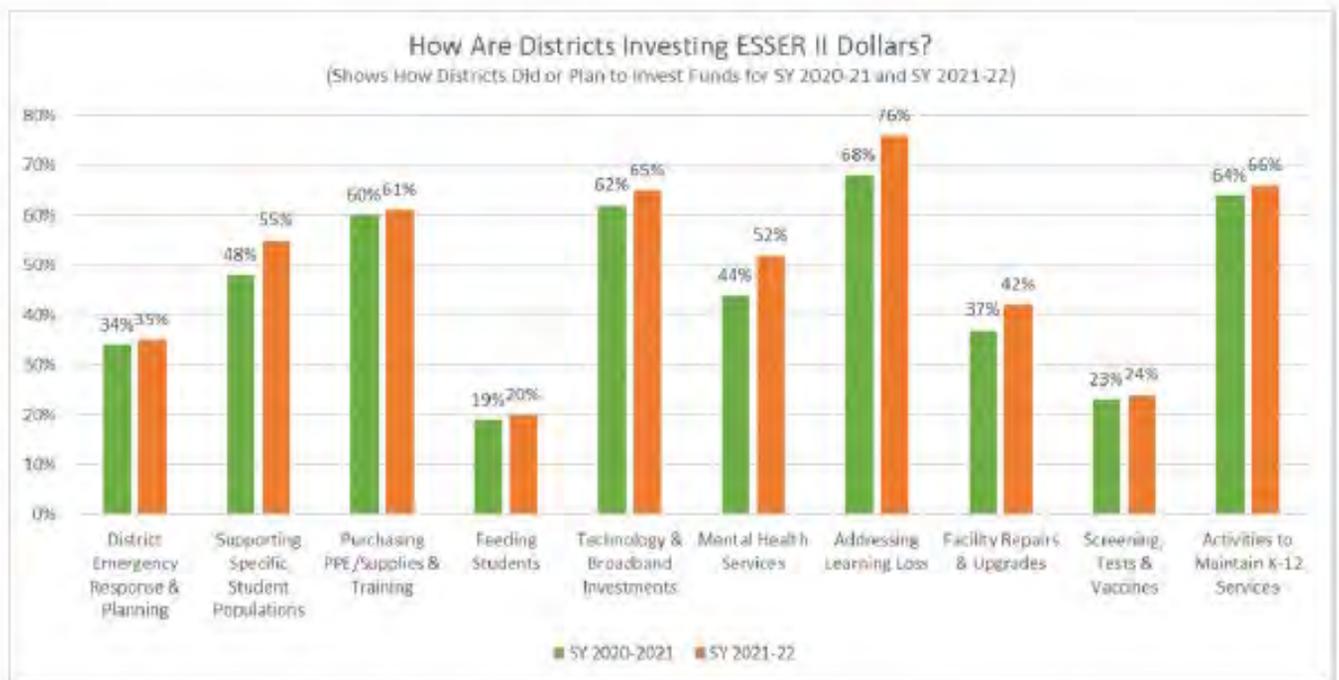
ESSER

Survey of School Districts

District Use of ESSER II Funds for SY 2020-21 and SY 2021-22

Across all investment categories for use of ESSER II Funds during SY 2020-21 and SY 2021-22, priorities were:

- Addressing learning loss, providing summer school an before/after-school activities, tutoring, etc.
- Other activities to maintain continuity of education services (e.g., salaries/wages, contracts, and other expenses not covered in other investment categories).
- Purchasing technology and learning management systems for students and improving broadband access/connectivity to address the homework gap.



GEER

Allocations to States

Both the CARES Act and CRRSA Act provided funding to Governors through the Governor’s Emergency Education Relief (GEER) Fund. The U.S. Department of Education is required to allocate 60 percent of the funds based on each state’s relative population of individuals aged 5 through 24, and 40 percent based on each state’s relative number of children counted under the Title I, Part A formula.

	<i>in thousands</i>
GEER Fund	\$2,953,230
GEER II Fund*	1,303,060
Total, GEER	\$4,256,290

Nationally, nearly \$4.3 billion in federal emergency aid is allocated by formula to Governors in support of public elementary and secondary education, institutions of higher education (IHEs), or other education-related entities.

Governors Determine the Fund Recipients

Governors may provide subgrants to LEAs and IHEs within their state that have been “most significantly impacted by coronavirus” to support their ability to continue providing educational services to their students and to support the “on-going functionality” of these entities. In addition, a Governor may use these funds to provide support through a subgrant or a contract to other LEAs, IHEs, and education-related entities** that the Governor “deems essential” for carrying out emergency educational services, providing child care and early childhood education, providing social and emotional support, and protecting education related jobs. A Governor has wide discretion in determining the entities in the state that will receive GEER funds. A Governor can choose to fund only LEAs, only IHEs, only education-related entities, or any combination of eligible entities.

Limits on Governors

Governors may not use GEER funds to award scholarships, microgrants, or financial aid directly to students or educators, but can do so indirectly through a subgrant to an eligible entity that can then make awards to individuals.

LEA Use of GEER Funds, if Awarded

Unless otherwise restricted by the Governor at the time of the award, the LEA has considerable flexibility in determining how best to use GEER funds to prevent, prepare for, or respond to COVID-19.

* The CRRSA Act directed \$4,053,060,000 to the Governor’s Emergency Education Relief (GEER II) Fund, of which \$2,750,000,000 is reserved for emergency assistance to non-public schools.

** An education-related entity is a governmental, nonprofit or for-profit entity within the state that provides services that support preschool, elementary, secondary, or higher education.

EANS

Emergency Assistance to Non-Public Schools

Both the CRRSA Act and the ARP Act included funding for Emergency Assistance for Non-Public Schools (EANS) grants. The U.S. Department of Education is required to allocate funds for this purpose based on each state’s relative number of children aged 5 through 17 at or below 185 percent of poverty who are enrolled in non-public schools in the state.

	<i>in thousands</i>
EANS, CRRSA Act	\$2,750,000
EANS, ARP Act	2,750,000
Total, EANS	\$5,500,000

Nationally, \$5.5 billion in federal emergency aid is allocated by formula to Governors to support Emergency Assistance to Non-Public Schools (EANS) grants.

Limitations and Restrictions

In order to be eligible to receive services or assistance, non-public schools are prohibited from applying for and receiving a loan under the Paycheck Protection Program, unless the non-public school received a loan guaranteed before the enactment of the CRRSA Act.

EANS funds can not be used to provide direct or indirect financial assistance to scholarship granting organizations or related entities, or to provide or support vouchers, tuition tax credit programs, education savings accounts, scholarships, scholarship programs, or tuition-assistance programs, for elementary or secondary education. *Exception:* funds may be provided only to students who receive or received such assistance under the CARES Act for the 2020–2021 school year and only for the same assistance provided such students.

Under the ARP Act, funds may not be used to provide reimbursements to any non-public school. Also under the ARP, funds are to provide services or assistance to non-public schools that enroll a significant percentage of low-income students and are most impacted by the qualifying emergency.

Equitable Services

An LEA that receives ESSER and GEER funds under the CARES Act must provide equitable services to non-public school students and teachers in the same manner as provided under section 1117 of Title I, Part A of the ESEA. The CRRSA Act and the ARP Act include the separate EANS program for which eligible non-public schools may apply to an SEA to receive services or assistance. As such, LEAs are not required to provide equitable services under GEER II, ESSER II, or ARP ESSER.



EDUCATING
THROUGH CRISIS
COVID-19