TN | Department of **Education**

Questions and Answers: Elementary and Secondary School Emergency Relief Fund 3.0 (ESSER Fund 3.0)

Grant Timeline

- April 15, 2021: ESSER 3.0 funding application opens in ePlan
- June 1, 2021: ESSER 3.0 funding application due in ePlan
- June 30, 2021: ESSER 3.0 funding applications reviewed in ePlan
- July 1, 2021: Local Education Agencies (LEAs) may seek reimbursement from approved applications

Grant Overview

1. ***How much will local educational agencies (LEAs) receive?***
   LEAs received their allocation on March 19, 2021. Allocation details can be found [here](#).

2. ***What are the allowable activities?***
   The funds can be used for all expenses previously allowed under the original ESSER 1.0 and ESSER 2.0 ***excluding*** allowable uses under McKinney-Vento Program including and emphasizing:
   - Any allowable use under the Elementary and Secondary Education Act (ESSA), Individuals with Disabilities Education Act (IDEA); Carl D. Perkins Career and Technical Education Act (Perkins); and Adult Education and Family Literacy Act.
   - Coordination of preparedness and response efforts of local educational agencies (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 coronavirus.
   - 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.
   - Developing and implementing procedures and systems to improve the preparedness and response efforts of local educational agencies.
   - Training and professional development for staff of the LEA on sanitation and minimizing the spread of infectious diseases.
   - Purchasing supplies to sanitize and clean the facilities of the LEA
   - Planning for, and 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 educational services can continue to be provided consistent with all Federal, State, and local requirements.
   - 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.
   - Providing mental health services and supports

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- 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.
- Addressing learning loss among students, including low-income students, children with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and children and youth in foster care, of the local educational agency
- 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.
- 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.
- 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 (CDC) for the reopening and operation of school facilities.
- Other activities that are necessary to maintain the operation of and continuity of services in LEA and continuing to employ existing staff of the LEA.

3. ***What is the requirement for the 20 percent for learning loss mitigation?***
LEA must reserve not less than 20 percent of its ***total ESSER III allocation*** to address learning loss through the implementation of evidence-based interventions. These evidence-based interventions should focus on the students' academic, social, and emotional needs.
Note: The department is waiting on guidance from the U.S. Department of Education (ED) on it's interpretation of the meaning of evidence-based interventions.

4. ***What is the Maintenance of Equity—Local?***
In fiscal years 2022 or 2023, an LEA may not reduce per-pupil funding for any high-poverty school in its jurisdiction by an amount that exceeds the average per-pupil funding reduction across the LEA. The LEA may not reduce the per-pupil full-time equivalent staff ratio in any high-poverty school by an amount that exceeds the reduction of that ratio across the LEA.
Note: The legislation provides exceptions for low-enrollment LEAs and LEAs with unpredictable changes in school enrollment or that sustain a considerable loss of financial resources.

5. ***What are School Reopening Plans?***
LEA receiving funds shall develop and make publicly available no later than 30 days after receiving allocation, a plan for the safe return to in-person instruction and continuity of services. Before making plan publicly available, LEA must seek and incorporate public comment. Pre-existing plans that meet these standards will satisfy requirements
This information must be provided on the *Related Documents* page of the ESSER 3.0 funding application. A template will be provided.

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6. *Why can ESSER 3.0 <u>not be used</u> for allowable uses under McKinney-Vento Section VII (B)?*
While McKinney-Vento Section VII(B) activities were an allowable use of funds under CARES/CRRSA but are not under the American Rescue Plan Act (ARPA), because there is dedicated funding for homeless students. The department will be releasing more information on additional funding opportunities for LEA supporting students who are homeless.

7. **What are some considerations LEAs should use for initial planning?**
These are ***one-time*** funds, and all LEA plans must reflect expenses that are either one-time costs (e.g., learning loss) or long-term investments (e.g., facilities). Though there is no *Supplement, Not Supplant* requirement, LEAs should consider how budgeting these funds may impact maintenance of effort (MOE) of state and local funds.

8. *Who can be served by ESSER 3.0 grant funds?*
Common limitations that apply to most federal education programs (such as limiting services to certain student populations or schools, or the general prohibition against construction) do not apply to ESSER funds. For example, ESSER-funded activities can benefit any or all students, staff, and schools within an LEA (i.e., public or traditional schools).

9. *If a school is opening July 2021 with students, are we able to apply for funds from ESSER 3.0?*
Traditional and charter schools opening in the 2021-22 school year, fiscal year 2022, will be eligible for ESSER 3.0 allocations. Public charter schools in Tennessee will receive ESSER 3.0 funding through LEAs. All ESSER funds are required to be allocated to LEAs based on the LEA's relative share of Title I. These allocations are derived from U.S. Census data for students aged 5-17 and would include charter schools as they are public schools within LEAs. However, the clear legislative intent is to benefit all public schools and students regardless of school type, and the expectation is that LEAs would serve and allocate funds to charter schools in the same manner as traditional public schools

10. *Do non-public schools have access to ESSER or GEER funds?*
Unlike the ESSER 1.0 funds awarded last spring, there are no equitable services provisions in this third round of funding. Non-public schools may apply to participate in the EANS 2.0 grant opportunity.

11. **Are there other critical provisions in the stimulus bill?**
- IDEA funding for federal FY21:
    - $2.6 billion for grants to States under IDEA Part B
    - $200 million for preschool grants under IDEA Section 619
    - $250 million for grants under IDEA Part C
- $800 million for identifying homeless children and youth, and:
    - Providing wrap-around services "in light of the challenges of COVID-19" and
    - Helping them attend school and "participate fully in school activities"
- E-Rate $7.2 billion for emergency educational connections and devices (rulemaking pending)
- Early childhood, childcare, poverty reduction
- Child nutrition $12 billion for EBT and SNAP extension

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Oversight and Reporting

12. *Does the management of ESSER applications fall under the Federal Programs Director at the district level?*
Responsibility for CARES Act Administration will be determined locally. For time and effort purposes, LEAs should be reminded that this does constitute a different cost objective than grant funds authorized under ESSA, IDEA, and McKinney-Vento.

13. *Could LEAs pool ESSER dollars to hire additional staff that they "share" to monitor all things ESSER?*
There is nothing that would preclude LEAs from "sharing" personnel for monitoring purposes. Each LEA would need to budget its proportionate share of the FTE in its budget and list the partnering LEAs and relative percentages.

14. *When will specific guidelines regarding auditing procedures for ESSER 1.0, 2.0, 3.0, etc. be available?*
The Tennessee Department of Education is awaiting further guidance on reporting from ED.

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