

American Rescue Plan Elementary and Secondary School Emergency Relief Fund State Plan Requirements

Office Hours

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Introductions

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ARP ESSER State Plan Overview

- Nearly \$122 billion to States and school districts
- Help safely reopen and sustain operations, maximizing in-person instruction
- Address the impact of the coronavirus pandemic on the Nation's students, particularly those groups of students disproportionately impacted by the pandemic



Key Dates

March 11 – American Rescue Plan Act (ARP) enacted

March 17 – State allocations announced

March 24 – States received access to two-thirds of ARP Elementary and Secondary School Emergency Relief (ESSER) funds, totaling \$81 billion

April 21 – ARP ESSER State Plan template and interim final requirements released

May 14 – The Department requests that the SEA provide notification if SEA will not meet June 7 deadline due to State requirements that preclude submission by that date (e.g., because of pre-existing State board approval requirements)

- Provide notification to ESSERF@ed.gov

June 7 – Deadline for submitting ARP ESSER State Plans



Office Hours

- The Department will answer questions that were received during the prior week and in previous webinar sessions.
 - Questions should be sent to: ESSERF@ed.gov
- All slides will be posted on the Department's website at: <https://oese.ed.gov/offices/american-rescue-plan/american-rescue-plan-elementary-and-secondary-school-emergency-relief/> under the "Resources" link
- The Department will take a limited number of live questions during each session and include those questions and answers in the next week's presentation.
- Please use the chat function to ask questions – either clarifications about the questions we are discussing or to raise new or additional questions.



Review Process

- **Does the State Plan need approval by the Department?**

Yes. The Department will review and approve each State Plan prior to awarding the remainder of each SEA's ARP ESSER funds.



Review Process

- **What is the approval process and timeline?**

The Department is committed to reviewing applications as quickly as possible. Each application will be reviewed by Department staff.

If an SEA does not address each requirement in the application, the Department will contact the State to ask it to revise its State Plan.

We strongly encourage each SEA to use the Department's template.



Review Process

- **Will the Department share the criteria that will be applied to State Plans as part of the review/approval process?**

The State Plan template will serve as the Department's review criteria for each State's ARP ESSER State Plan. Each SEA should carefully address each question, including each subpart and, as applicable, each subgroup in its response.

The Department will use the same review process for all State plans.

- **Do you expect different responses depending on whether the State is under State or local control?**

The Department expects each SEA to address each question in the State Plan template, taking into account its unique circumstances.



Review Process

- **Will the Department provide technical assistance support directly or in partnership with external entities to help SEAs draft ARP ESSER State Plans?**

The Department is available to provide support to all States.

We encourage you to submit questions to us as you develop your State Plan. We will respond to these questions during Office Hours sessions, as appropriate, and will respond to questions that pertain specifically to an individual State directly to that State.

States are also encouraged to reach out to their respective Comprehensive Centers for individual support.



Consultation

- **How is "meaningful" stakeholder consultation defined for purposes of the ARP ESSER requirements?**

Stakeholder engagement is a core element of the State and LEA planning process for the use of ARP ESSER funds. The Interim Final Rule (IFR) and the ARP ESSER State Plan template include a specific list of stakeholders with which an SEA or LEA must consult. Each SEA must describe the specific consultation that is conducted for each of these groups. We believe that it is important that each SEA ensures that consultation is broad and represents the diversity of the community within the State.

Meaningful consultation for the ARP ESSER State Plan may take different forms. We recognize and respect the work that States and school districts are already doing and have been doing throughout the pandemic to engage their communities. The description included in the State Plan must include how the SEA provided the public the opportunity to provide input in the development of the plan, a summary of the input (including any letters of support), and how the SEA took such input into account.

Stakeholder consultation is essential and we look forward to seeing and being able to amplify best practices on how States and LEAs are engaging the diverse communities that they serve.



Consultation

- **Must the SEA engage in meaningful consultation with all of the stakeholder groups listed in the State Plan template and IFR prior to submitting the ARP ESSER State Plan and provide the public with an opportunity to provide input or may the stakeholder engagement be ongoing, after June 7?**

The SEA must describe how it (1) engaged in meaningful consultation with each group included in the template and (2) provided the public the opportunity to provide input on the State Plan, prior to submission of its State Plan.

We expect this consultation to have occurred in some form before the State Plan is submitted. In the State Plan, an SEA should describe how it incorporated any input in the State Plan and include any letters of support with the State Plan.

We also recognize that consultation is ongoing. To the extent that an SEA has plans to continue consultation, we encourage SEAs to include that information in the application.



Application Requirements

- **Must the ARP ESSER State Plan address the entire SEA allocation (e.g., the entire amount of funds required to be reserved at the State level) and not just the remaining 1/3 of the funds that it will receive after approval of the State plan?**

Yes. The ARP ESSER State Plan must address the State's total allocation of ARP ESSER funds.



Application Requirements

- **What student groups is the Department referring to when the State Plan template references “underserved student groups”?**

For ARP ESSER, underserved student groups include, at a minimum, the subgroups listed below:

- *Students from low-income families,*
- *Students from each racial or ethnic group,*
- *Gender,*
- *Children with disabilities,*
- *English learners,*
- *Migratory students,*
- *Students experiencing homelessness, and*
- *Children and youth in foster care.*

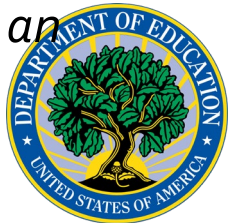


Application Requirements

- **What student groups is the Department referring to when the template references “underserved student groups”? (continued)**

For example, the ARP Act specifically requires that the funds the SEA and LEA is required to reserve for the academic impact of lost instructional time address the disproportionate impact of COVID-19 on these groups of students, which include the subgroups listed in ESEA section 1111(b), as well as students experiencing homelessness and children and youth in foster care.

The ARP ESSER State Plan template also asks SEAs to consider what other groups of students might be identified by the SEA as being an underserved group of students. For example, that could include the students who have had the most lost instructional time as a result of school building closures during the pandemic or students who have been least able to participate in remote instruction during periods when remote instruction was offered. It could be students in the criminal justice system or LGBTQ+ students. It could be other groups of students that an SEA identifies.



Application Requirements

- **Must an SEA address each underserved subgroup when it describes how the required State reservations will be used to implement evidence-based interventions to address the disproportionate impact of COVID-19 on those subgroups?**

Yes. Each SEA must describe how the evidenced-based interventions it will implement under each of the three required reservations (academic impact of lost instructional time; summer learning and enrichment; and comprehensive afterschool programs) address the disproportionate impact of COVID-19 on each student subgroup listed on slide 12, as well as any other group identified by the SEA.



Application Requirements

- **How are the four tiers of evidence defined in the ESEA incorporated into this program? Are all four tiers of evidence applicable?**

The ARP Act defines the term "evidence-based" as having the meaning in section 8101(21) of the ESEA. Accordingly, "evidence-based" includes several tiers of evidence. Specifically, "evidence-based," when used with respect to a State, LEA, or school activity, means an activity, strategy, or intervention that demonstrates a statistically significant effect on improving student outcomes or other relevant outcomes based on –

- 1. Strong evidence from at least one well-designed and well-implemented experimental study ("tier 1");*
- 2. Moderate evidence from at least one well-designed and well-implemented quasi-experimental study ("tier 2"); or*
- 3. Promising evidence from at least one well-designed and well-implemented correlational study with statistical controls for selection bias ("tier 3"); or*
- 4. Demonstrates a rationale based on high-quality research findings or positive evaluation that such activity, strategy, or intervention is likely to improve student outcomes or other relevant outcomes and includes ongoing efforts to examine the effects of such activity, strategy, or intervention ("tier 4").*



Application Requirements

- **How are the four tiers of evidence defined in the ESEA incorporated into this program? Are all four tiers of evidence applicable? (continued)**

Given the novel context created by the COVID-19 pandemic, an activity need not have generated such evidence during the COVID-19 pandemic to be considered evidence-based. The Department's What Works Clearinghouse (available at <https://ies.ed.gov/ncee/wwc/>) identifies the tier of evidence that reviewed studies meet, as applicable. As part of the "demonstrates a rationale (tier 4)" level of evidence, grantees may develop and use approaches that are novel if they are consistent with theoretical and empirical findings from research and the grantee will continue to review the effects of the practice to build the evidence base. Developing a logic model can help to demonstrate a rationale. Logic model resources are available at: <https://ies.ed.gov/ncee/edlabs/regions/pacific/elm.asp>.



Allocation of Funds

- **The ARP Act requires that an LEA make publicly available a plan for the safe return to in-person instruction and continuity of services within 30 days of receiving ARP ESSER funds. When does the LEA “receive” ARP ESSER funds for purposes of this requirement?**

An LEA “receives” its ARP ESSER funds when it has access to the funds and is able to spend (i.e., draw down) funds for allowable activities.

- **The ARP Act requires that an SEA “make allocations” of ARP ESSER funds to its LEAs within 60 days, to the extent practicable. What does it mean for an SEA to make ARP ESSER allocations?**

An SEA allocates the funds when the LEA has access to the funds and is able to spend them (i.e., draw down the ARP ESSER funds).



Allocation of Funds

- **When will the ARP ESSER Grant Award Notification (GAN) be made available to States?**

Each SEA received a GAN when it was awarded the first two-thirds of their ARP ESSER funds on March 24, 2021.

The SEA will receive additional notification from the Department that the remaining one-third of ARP ESSER funds are available to them once the Department has approved its ARP ESSER State Plan.



Obligation of Funds

- **What is the timeline for an SEA or LEA to obligate funds under ARP ESSER?**

An SEA or LEA has until September 30, 2024, to obligate the ARP ESSER funds it receives. This includes the 12-month Tydings Amendment period. For additional information on awarding and obligating funds, please see Question 10 in the ESSER FAQs available at:

<https://oese.ed.gov/files/2020/05/ESSER-Fund-Frequently-Asked-Questions.pdf>.



LEA Plans

- **May an SEA waive the requirement that each LEA develop a plan for the use of ARP ESSER funds and a plan for the safe return to in-person instruction and continuity of services?**

No. An SEA does not have the authority to waive any of the statutory or regulatory requirements related to ARP ESSER, including requirements related to the development of LEA plans for use of ARP ESSER funds and plans for the safe return to in-person instruction and continuity of services.



LEA Plans

- **The Interim Final Requirements state that a State may allow LEAs to develop one plan that addresses both the requirements for the LEA’s plan for the use of ARP ESSER funds and the LEA’s plan for the safe return to in-person and continuity of services, rather than two separate plans. What would the required timeline be for LEAs to complete a single plan?**

An SEA may allow an LEA to develop a single plan to address both the uses of ARP ESSER funds and the safe return to in-person instruction and continuity of services. The single plan must be submitted within the timeline established by the State for the LEA plans for the use of ARP ESSER funds. An LEA is still required to meet the requirement that it make publicly available a plan for the safe return to in-person instruction and continuity of services within 30 days of receiving ARP ESSER funds.



LEA Plans

- **What guidance would you provide an LEA in the development of its plan for the safe return to in-person instruction and continuity of service if the LEA has already been conducting instruction in person?**

An LEA's safe return to in-person instruction and continuity of service plan (required under section 2001(i) of the ARP Act) must address:

- How the LEA will maintain the health and safety of students, educators, and other staff and the extent to which it has adopted policies, and a description of any such policies, on each of the safety recommendations established by the CDC (and outlined on the slide after next); and*
- How the LEA will ensure continuity of services, including but not limited to services to address students' academic needs and students' and staff social, emotional, mental health, and other needs, which may include student health and food services.*



LEA Plans

- **What guidance would you provide an LEA in the development of its plan for the safe return to in-person instruction and continuity of service if the LEA has already been conducting instruction in person? (continued)**

If an LEA has already returned students to 100 percent full-time in-person instruction, its responses to these questions should focus on its current and future activities to keep students and staff safe and ensure continuity of services.



Safety recommendations established by the CDC

A. Universal and correct wearing of masks.

F. Diagnostic and screening testing.

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

G. Efforts to provide vaccinations to school communities.

C. Handwashing and respiratory etiquette.

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

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

I. Coordination with State and local health officials.

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



Reporting Requirements

- **Will there be other reporting requirements for ARP ESSER funds, similar to reporting requirement under the CARES and CRRSA Acts?**

Yes. The Department is working on establishing the reporting requirements for upcoming collections.



Additional Questions

