

How American Rescue Plan Funds Can Prevent and Respond to Crime and Promote Public Safety



**U.S. Department of Education
Washington, D.C. 20202**

June 2021

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The American Rescue Plan (ARP) Act of 2021 includes nearly \$122 billion in resources for State educational agencies (SEAs) and local educational agencies (LEAs) through the ARP's Elementary and Secondary School Emergency Relief (ESSER) Fund that can be used to address student needs resulting from and exacerbated by the pandemic. SEAs and LEAs may use these funds to return to and maximize in-person instructional time and address the social, emotional, mental health, and academic needs of students, including violence prevention and intervention in schools. Previous rounds of ESSER relief funding included in the Coronavirus Aid, Relief, and Economic Security (CARES) Act and the Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act, 2021, as well as Governor's Emergency Education Relief (GEER) funding, may also be used for this purpose.¹

States and LEAs may use these funds, consistent with Federal civil rights laws, for a range of evidence-based strategies that increase public safety for young people. Young people—especially Black and Brown young people—are disproportionately injured and killed in acts of violence; gun violence, in particular, has risen since the coronavirus disease 2019 (COVID-19) pandemic began.² Investing in violence prevention and intervention strategies is particularly important given that so many students and their families have experienced trauma—whether through the death of a loved one, hunger, loss of income, homelessness, social isolation, or other stressors—over the course of the pandemic.

This document complements and should be read together with the Department's Frequently Asked Questions document on Elementary and Secondary School Emergency Relief Programs and Governor's Emergency Education Relief Programs, available at: <https://oese.ed.gov/offices/american-rescue-plan/american-rescue-plan-elementary-and-secondary-school-emergency-relief/resources/>, which provides more detailed information on the underlying requirements related to uses of funds under the ESSER and GEER programs.

The Administration urges SEAs and LEAs to consider using their Federal resources on strategies to reduce violence and enhance public safety, as described below, to the benefit of their students, families, and communities, as part of their efforts to recover from the pandemic.

¹ Other than statutory and regulatory requirements included in the document, such as those pursuant to the authorizing statute and other applicable laws and regulations, the contents of this document do not have the force and effect of law and are not meant to bind the public. This document is intended only to provide clarity to the public regarding existing requirements under the law or agency policies. In addition, it does not create or confer any rights for or on any person. This document contains examples of resources that are provided for the user's convenience. The inclusion of these resources is not intended to reflect their importance, nor is it intended to endorse any views expressed, or products or services offered, by these entities.

² Educational Fund to Stop Gun Violence and Coalition to Stop Gun Violence. (2021). A Public Health Crisis Decades in the Making: A Review of 2019 CDC Gun Mortality Data. Available: <http://efsgv.org/2019CDCdata>;

Rosenfeld, Richard, Thomas Abt and Ernesto Lopez. Pandemic, Social Unrest, and Crime in U.S. Cities: 2020 Year-End Update. Washington, D.C.: Council on Criminal Justice, January 2021,

https://cdn.ymaws.com/counciloncj.org/resource/resmgr/covid_commission/Year_End_Crime_Update_Design.pdf;

Rosenfeld, Richard and Ernesto Lopez. Pandemic, Social Unrest, and Crime in U.S. Cities: March 2021 Update. Washington, D.C.: Council on Criminal Justice, May 2021, <https://covid19.counciloncj.org/2021/05/21/impact-report-covid-19-and-crime-4/>.

Question: How may ARP ESSER and other ESSER and GEER funds be used to prevent and respond to violence and to increase public safety this summer and beyond?

Within the parameters discussed below, ARP ESSER funds, as well as other ESSER and GEER funds, may be used to help students and disconnected youth³ through the following public safety strategies:

- ✓ Community violence intervention (CVI) programs
- ✓ Summer and year-round programs that provide job training and work-based learning experience for students, including formerly incarcerated students, and disconnected youth who live in communities most impacted by high levels of violence
- ✓ Summer education and enrichment programs, including summer camp
- ✓ Wraparound services—such as medical care, mental health and substance use disorder care, and nutrition support—for students and their families, including hiring support personnel for schools such as nurses, school counselors, and social workers
- ✓ Establishing or expanding full-service community schools
- ✓ Reengaging students who became disconnected from school during the pandemic to help them transition to career or postsecondary education programs

1. Community Violence Intervention⁴

ESSER and GEER funds may be used to implement CVI strategies, which address students’ social, emotional, mental health, and academic development and are especially important in the context of the disproportionate impact of the COVID-19 pandemic on historically underserved groups of students (e.g., students from low-income families, students of color, students with disabilities, English learners, students experiencing homelessness, children and youth in foster care, migratory students, and children who are incarcerated). Purposeful strategies to re-engage disconnected youth through youth violence reduction programs, mentorship, and strengthening youth skills through workforce engagement and training also have the potential to reduce community violence.

³ As used in this document, the term “disconnected youth” means “out-of-school youth” as that term is defined in the Carl D. Perkins Career and Technical Education Act of 2006 (Perkins V) (20 U.S.C. § 2302(35)). That section defines the term by reference to 29 U.S.C. § 3102, which in turn refers to 29 U.S.C. § 3164, which provides the following definition in paragraph (a)(1)(B):

The term “out-of-school youth” means an individual who is—

- (i) Not attending any school (as defined under State law);
- (ii) Not younger than age 16 or older than age 24; and
- (iii) One or more of the following:
 - (I) A school dropout.
 - (II) A youth who is within the age of compulsory school attendance, but has not attended school for at least the most recent complete school year calendar quarter.
 - (III) A recipient of a secondary school diploma or its recognized equivalent who is a low-income individual and is—
 - (aa) Basic skills deficient; or
 - (bb) An English language learner.
 - (IV) An individual who is subject to the juvenile or adult justice system.
 - (V) A homeless individual (as defined in section 12473(6) of title 34), a homeless child or youth (as defined in section 11434a(2) of title 42), a runaway, in foster care or has [1] aged out of the foster care system, a child eligible for assistance under section 677 of title 42, or in an out-of-home placement.
 - (VI) An individual who is pregnant or parenting.
 - (VII) A youth who is an individual with a disability.
 - (VIII) A low-income individual who requires additional assistance to enter or complete an educational program or to secure or hold employment.

⁴ See FAQ C-24 in the Department’s Frequently Asked Questions document.

Examples of mentorship, counseling, and other relevant programs are described in Volume 2 of the Department’s COVID-19 Handbook available at:

<https://www2.ed.gov/documents/coronavirus/reopening-2.pdf>.

More details on the Administration’s efforts to support CVI strategies can be found here:

<http://www.whitehouse.gov/briefing-room/statements-releases/2021/04/07/fact-sheet-more-details-on-the-biden-harris-administrations-investments-in-community-violence-interventions/>.

2. Summer and Year-Round Work-Based Learning⁵

ESSER and GEER funds may be used for summer and year-round work-based or service-learning programs for high school students as part of State and LEA efforts to engage students, including disconnected youth. This includes programs that provide workforce readiness training, apprenticeship or pre-apprenticeship opportunities, internships, skills development, placement services, and/or coaching and mentoring. Funds may be used both to support the training that high school students receive and to supplement the pay (e.g., by providing stipends) to students who participate in the summer and year-round work-based learning program. Funds may also be used to support service-learning or other volunteer opportunities for high school students, including transportation and meals if not covered through U.S. Department of Agriculture (USDA) programs and flexibilities.

Summer and year-round programs that provide stipends for training and/or work-based learning experiences targeted primarily to students who are formerly incarcerated or otherwise involved in the criminal or juvenile justice system, or who live in communities experiencing high levels of violence, may also be supported with ESSER and GEER funds.

3. Summer Enrichment Programs for Students⁶

ESSER and GEER funds may support summer learning and enrichment programs. Ensuring young people are connected to education and communities of support is critical to violence prevention. Given that this summer affords students a critical opportunity to reconnect with their peers and engage in learning, LEAs should consider a variety of options for procuring summer opportunities with ESSER and GEER funds, including programs run by non-profit or community organizations as well as those run by the LEA. Effective summer programming can accelerate learning and address students’ social, emotional, mental health, and academic needs through a combination of activities that include strong partnerships with community-based organizations and other summer providers, including summer camps. These partnerships can help to sustain these programs and can also support programs in rural and remote communities.

Consistent with the President’s call for all communities to provide high-quality summer learning and engagement opportunities for their students, communities should maximize enrollment in summer programs, with a particular focus on underserved students and students most impacted by the COVID-19 pandemic, including providing transportation and meal services. Programs should target students of all ages, including high school students, and can include work-based internships or service-learning opportunities and/or summer bridge programs to support successful educational transitions. LEAs should particularly identify opportunities to re-engage students whose schools have not been successful in engaging them during the COVID-19 pandemic, and to specifically address the needs of students with disabilities in this context. LEAs may use indicators such as chronic absenteeism (during in-person and/or remote instruction) to identify students in need of targeted support and services, as well as more generally

⁵ See FAQ C-26 in the Department’s Frequently Asked Questions document.

⁶ See FAQ C-25 in the Department’s Frequently Asked Questions document.

identifying which students have lost the greatest number of in-person instructional days since the beginning of the COVID-19 pandemic.

Moreover, an SEA must reserve at least 1 percent of its total ARP ESSER allocation for evidence-based summer enrichment programs, and LEAs must reserve at least 20 percent of their ARP ESSER funds to address the academic impact of lost instructional time⁷ through the implementation of evidence-based interventions, which may include summer programs, particularly to address the disproportionate impact of the COVID-19 pandemic on historically underserved student subgroups.

Evidence-based summer learning and enrichment programs are further described in Volume 2 of the Department’s COVID-19 Handbook available at:

<https://www2.ed.gov/documents/coronavirus/reopening-2.pdf>.

4. Wraparound Support Services⁸

ESSER and GEER funds may be used to provide social, emotional, mental health, and academic supports to address the impacts of isolation during the pandemic, which may include, for example, supports to address students’ behavioral, medical, and other needs related to substance use disorder. ESSER and GEER funds may also support broader activities that re-engage disconnected youth and reduce community violence in places where the COVID-19 pandemic has exacerbated inequities, leading to increases in the number of disconnected youth and incidents of violence. GEER funds may further be used to fund social, emotional, and mental health support activities determined to be essential by the Governor of each State.

Eligible uses of ESSER and GEER funds include:

- Hiring support personnel in schools such as nurses, school counselors, and social workers. An LEA may use ESSER and GEER funds, including the 20 percent of ARP ESSER funds set aside to address the academic impact of lost instructional time, to support students’ social, emotional, mental health, and academic needs, including by implementing school-wide strategies that enhance supports and interventions for students as well as targeted assistance for students who need such supports. This includes hiring support personnel such as nurses, school counselors, social workers, and other support personnel, which could include individuals trained in violence intervention and trauma-informed care as well as individuals trained in responding to substance use disorder.
- Implementing or expanding arts programs, such as music programs, including by purchasing instruments; expanding sports programming so more students can participate; and initiating clubs, such as a robotic or STEM club.
- Providing community-based mental health and substance use disorder programs to students and their families that deliver evidence-based psychotherapy, crisis support services, and/or recovery support.
- Ensuring that schools are implementing instructional practices that are culturally responsive and that incorporate trauma-informed pedagogy in response to the COVID-19 pandemic. For example, LEAs with high concentrations of English learners may hire additional bilingual staff to

⁷ For the purposes of this guidance document, the term “academic impact of lost instructional time” is used in place of “learning loss” experienced by students as a result of the COVID-19 pandemic, as referenced in the ARP Act.

⁸ See FAQs C-3, C-4, and C-16 in the Department’s Frequently Asked Questions document.

address the social, emotional, mental health, and academic needs of English learners. ESSER and GEER funds may be used to support implementation of curriculum, including related professional development.

- Providing meals for students. Typically, an LEA has other means of providing for food services, such as through the USDA or other Federal programs. As a result, the Department encourages LEAs to use those Federal funds with the specific purpose of providing food services to students prior to using ESSER or GEER funds for this purpose. USDA has provided nationwide flexibilities and many flexibilities have been extended through school year 2021-2022 (see: <https://www.fns.usda.gov/disaster/pandemic/cn-2021-22-waivers-and-flexibilities>). Additionally, the ARP Act expands the Pandemic Electronic Benefit Transfer (P-EBT) program to any school year in which there is a public health emergency designation as well as during summer months.

In implementing evidence-based strategies to address the academic impact of lost instructional time through the ARP ESSER required reservation of funds, SEAs and LEAs must respond to students' social, emotional, mental health, and academic needs and address the disproportionate impact of the COVID-19 pandemic on students from low-income families, students of color, English learners, students with disabilities, migratory students, students experiencing homelessness, and children and youth in foster care.

Effective strategies to support student social, emotional, mental health, and academic development are further described in Volume 2 of the Department's COVID-19 Handbook available at: <https://www2.ed.gov/documents/coronavirus/reopening-2.pdf>.

5. Full-Service Community Schools⁹

Community schools provide a range of services to students and their families, including through leveraging partnerships with non-profits and community-based organizations, that are effective parts of comprehensive community violence prevention strategies. An LEA may use ESSER and GEER funds to provide services and supports to students and families through evidence-based, full-service community schools.

The ARP Act defines a full-service community school as it is defined in section 4622(2) of the Elementary and Secondary Education Act, as amended: a public elementary school or secondary school that (A) participates in a community-based effort to coordinate and integrate educational, developmental, family, health, and other comprehensive services (which could include nutritional services) through community-based organizations and public and private partnerships; and (B) provides access to such services in school to students, families, and the community, such as access during the school year (including before- and after-school hours and weekends), as well as during the summer. Evidence-based community school approaches include integrated student supports, active family and community engagement, expanded learning time opportunities, and collaborative leadership and practices.

Using ESSER or GEER funds to support full-service community schools can help support students' social, emotional, mental health, and academic development. Additionally, LEAs may utilize funds in the development or expansion of in-school student support centers that provide mentoring, counseling, support for substance use disorders, and social and emotional learning supports to students in individual or group sessions.

⁹ See FAQ C-13 in the Department's Frequently Asked Questions document.

6. Connecting Young People with Careers and Postsecondary Education Opportunities¹⁰

ESSER and GEER funds may be used to support students who graduated high school or left school in 2020 and 2021 who have not yet successfully transitioned to college or careers. Consistent with the Carl D. Perkins Career and Technical Education Act of 2006, as amended by the Strengthening Career and Technical Education for the 21st Century Act (Perkins V), an LEA may use ESSER and GEER funds to support former students who graduated high school in the class of 2020 or who will graduate in 2021 (i.e., during the pandemic) but have not yet successfully transitioned to college or careers.

For example, consistent with the requirements of Perkins V, an LEA may provide postsecondary education counseling and related support services, including for associate and baccalaureate degree programs, financial literacy, summer bridge programs, and pre-apprenticeship or registered apprenticeship; assistance with college applications; career information, advising, and navigation supports; career exposure activities and career readiness preparation, including resume development, employability skills training, mock interviews, and other readiness strategies; subsidized or unsubsidized summer or year-round work-based learning experiences, such as job shadows, internships, and other job training programs; assistance with identifying, applying for, and entering job training programs; and subsidized job training and industry-recognized credential attainment.

¹⁰ See FAQ C-18 in the Department's Frequently Asked Questions document.