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American Rescue Plan

Elementary and Secondary School Emergency Relief (ESSER) Program

Using COVID-Relief Funds for Facility Upgrades, Renovations, and Construction

September 2, 2021

Agenda

I. Introduction
II. Review of ESSER Construction and Remodeling Uses of Funds
III. Additional Department Communications
IV. EPA and DoE Resources
V. State and Local Examples
VI. Questions/Answers
VII. Closing

Presenters

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- Jaci Holmes, Federal State Legislative Liaison, Office of Federal Emergency Relief Programs and State Ombudsman, Maine Department of Education
- Amy Jiron, Team Lead and Acting Commercial Buildings Integration Program Manager, Department of Energy
- Ricky Martinez, Assistant Director of Facility Services, Salt Lake City School District
- Lakesha McKenzie, Team Lead for Technical Assistance and Communications, State and Grantee Relations, Office of Elementary and Secondary Education, U.S. Department of Education

Authorized Uses of Funds

- 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.
- 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.
- Any allowable use of funds under Impact Aid, including but not limited to **new construction**.
- LEAs should consider how to balance construction investments with other priorities in order to ensure the LEA is broadly addressing the academic, social, emotional and mental health needs of students.

Supporting Safe and Healthy Schools

- **What are some examples of when LEAs are considering using ESSER funds for the following**:
  - ***An HVAC project?***
  - CDC guidance for safe school operations include improving indoor air quality as a COVID-19 prevention strategy, and many LEAs are considering ventilation upgrades.
  - ***Renovations?***
  - Renovation could enable LEAs to utilize additional space for in-person instruction while maximizing social distancing.
  - ***New construction?***
  - When renovating an existing building would not be cost-effective due to the poor overall condition of the existing building.
  - Some LEAs may also choose to use ESSER funds to support a portion of a new construction project, such as its design.

Construction FAQs

B-6. May ESSER… funds be used for construction?

Yes. Construction is authorized under Title VII of the ESEA (Impact Aid) and therefore is an allowable use of ESSER funds under sections 18002(c)(3) and 18003(d)(1) of the CARES Act, sections 312(c)(3) and 313(d)(1) of the CRRSA Act, and section 2001(e)(2) of the ARP Act. The broad Impact Aid definition of "construction" includes new construction as well as remodeling, alterations, renovations, and repairs under which many activities related to COVID-19 would likely fall. These types of activities are also subject to a number of additional Federal requirements, as detailed in the following slide(s).

Note: Slides throughout this presentation may be paraphrased for presentation purposes. The Use of Funds Guidance, which applies to ESSER and GEER awards, can be found here: https://oese.ed.gov/files/2021/05/ESSER.GEER_.FAQs_5.26.21_745AM_FINALb0cd6833f6f46e03ba2d97d30aff953260028045f9ef3b18ea602db4b32b1d99.pdf and additional HVAC guidance can be found here: https://oese.ed.gov/files/2021/06/HVAC_Use-of-funds-F06-17-2021.pdf

FAQs: Additional Federal Requirements

It is the responsibility of an SEA, LEA, or other subgrantee to assure that:

1) individual costs comply with the Cost Principles in 2 CFR Part 200, subpart E (e.g., the cost must be "necessary and reasonable" (2 CFR §§ 200.403-200.404);

2) Individual costs meet the overall purpose of the CARES Act, CRRSA Act, or ARP Act programs, which is "to prevent, prepare for, and respond to" COVID-19;

3) individual costs are consistent with the proper and efficient administration of those programs. Under these general principles, any construction activities, including renovations or remodeling, that are necessary for an LEA to prevent, prepare for, and respond to COVID-19 could be permissible, though the burden remains on grantees and subgrantees to maintain the appropriate documentation that supports the expenditure;

4) construction projects obtain the required **prior written approval** by an LEA's SEA (or the Department for State projects) (See Title VII of the ESEA and 2 CFR § 200.439(b).); and

5.) approved construction projects comply with **applicable Uniform Guidance requirements**, **Davis-Bacon prevailing wage requirements**, and all of the Department's **applicable** regulations regarding construction at **34 CFR §§ 76.600 and 75.600-75.618**.

FAQs: Renovation and HVAC Projects

B-7. May ESSER…funds be used for renovation, including for such projects as making improvements to a school facility to improve indoor air quality (such as heating, ventilation, and air conditioning (HVAC) systems), and projects that would promote social distancing and safe in-person instruction?

Yes. ESSER funds may be used to make necessary improvements, for example to improve air quality and support social distancing, so that teachers and students may safely return to and continue in-person instruction. This might include renovations that would permit an LEA to clean effectively (e.g., replacing old carpet with tile that could be cleaned more easily) or create a learning environment that could better sustain social distancing (e.g., bringing an unused wing of a school into compliance with fire and safety codes in order to reopen it to create more space for students to maintain appropriate social distancing).

FAQs: Renovation and HVAC Projects

If an LEA uses funds for HVAC systems, the Department's regulation at 34 CFR § 75.616(c) requires the use of American Society of Heating, Refrigeration and Air Conditioning Engineers (ASHRAE) standards. A State, SEA, or LEA might also consider using ESSER funds to establish a program for assessing and improving HVAC systems. Such a program could also require verification that proper ventilation is occurring, such as through the use of carbon dioxide (CO_2) monitors.

FAQs: Renovation and HVAC Projects

Please note that the Environmental Protection Agency (EPA) has a variety of publications that can assist education leaders in improving the indoor air quality in schools. EPA resources on indoor air quality in schools can be accessed at: https://www.epa.gov/iaq-schools. The EPA has information available at: https://www.epa.gov/coronavirus/air-cleaners-hvac-filters-and-coronavirus-covid-19 on some indoor air filtration devices that use bipolar ionization technology, which has the potential to create ozone. EPA states that ozone generators should not be used in occupied spaces. If choosing to use a device that incorporates bipolar ionization technology, EPA recommends using a device that meets UL 2998 standard certification (Environmental Claim Validation Procedure (ECVP) for Zero Ozone Emissions from Air Cleaners) and notes that there are many air cleaning devices that do not use bipolar ionization. In addition, the CDC provides information on improving ventilation in schools at: https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/ventilation.html and in buildings at: https://www.cdc.gov/coronavirus/2019-ncov/community/ventilation.html.

Process for Prior Approval

Does the Department determine the process that States must use for granting prior approval to their LEAs for capital expenditures?

- No. The process an SEA uses for granting prior approval to an LEA to use ESSER funds for capital expenditures (including HVAC projects) such as minor remodeling, renovation, or construction is left to the discretion of the SEA. Neither the Department nor the Uniform Guidance specifies the process that must be used.
- An SEA has the flexibility to establish its own reasonable process that ensures that the expenditures meet the applicable statutory and regulatory requirements, including those in Subpart E of the Uniform Guidance (2 CFR Part 200).

Process for Prior Approval

Does the Department determine the process that States must use for granting prior approval to their LEAs for capital expenditures? *(continued)*

- For example, an SEA could:
  - Use or modify the current procedures that it already uses for prior approval categories for other Federal programs under the Uniform Guidance.
  - Consider getting a building expert (engineer, inspector, architect) who knows applicable State, local, and Federal requirements to assist with its review of prior approval requests. The expert could be acquired on a limited basis through procurement or perhaps an interagency agreement with another State agency, such as a Public Works office or another agency with authority over facilities.
  - Consult with other States that have facilities programs for suggestions on how to implement an efficient process for prior approvals for facilities expenditures.
  - (continued on next slide)

Process for Prior Approval

Does the Department determine the process that States must use for granting prior approval to their LEAs for capital expenditures? *(continued)*

- For example, an SEA could:
  - Develop a checklist of items that an LEA seeking prior approval should provide. This could include:
    - The name of the school facility the LEA is proposing to repair, construct, or modernize.
    - The identification of the LEA's interest in, or authority over, the school facility involved, such as an ownership interest or a lease arrangement.
    - Sources and amounts of funds available for the proposed project.
    - A statement signed by an appropriate independent local official that: (1) the renovation or construction project meets the applicable Federal, State, or local requirements with respect to health and safety, environmental standards, Historic Preservation, and other requirements (see FAQ B-6 and 34 CFR Part 75) and (2) any deficiency that requires renovation or construction is necessary (e.g., because it threatens the health and safety of occupants of the facility or prevents the use of the facility). An appropriate local official may include a local building inspector, a licensed architect, or a licensed structural engineer.
    - A description of the need for funds as related to COVID-19 including a cost estimate and other details needed to support the reasonableness and allowability of the expenditure under the applicable statute ARP Act and cost principles in the Uniform Guidance (e.g., the original construction date and the dates and descriptions of any other major renovations of the school facility).
    - Applicable assurances and certifications (see FAQ B-6 for applicable requirements that must be met for any renovation or construction project).

Process for Prior Approval

Does the Department determine the process that States must use for granting prior approval to their LEAs for capital expenditures? *(continued)*

- Please note that some HVAC upgrades may constitute "minor remodeling" and the Department's applicable regulations regarding construction at 34 CFR §§ 76.600 and 75.600-75.618 would not apply.
- Minor remodeling means minor alterations in a previously completed building, for purposes associated with the coronavirus. The term also includes the extension of utility lines, such as water and electricity, from points beyond the confines of the space in which the minor remodeling is undertaken but within the confines of the previously completed building.
- The term does not include permanent building construction, structural alterations to buildings, building maintenance, or repairs. However, minor remodeling projects that constitute capital assets under the Uniform Guidance still require prior approval consistent with 2 CFR 200.439.

Prior Approval and Bidding

Is SEA prior approval required before LEA bidding is advertised?

- No. SEA prior approval is not required before LEA bidding is advertised under applicable Department requirements.
- The provisions in 34 CFR §§ 75.600-617 are "as applicable" and every provision does not apply to every project. Some have cited 34 CFR § 75.605, which states in relevant part that: "Before construction is advertised or placed on the market for bidding, the grantee shall get approval by the Secretary of the final working drawings and specifications."
- This provision applies to direct construction projects that require approval from the Department, not those that require approval under the Uniform Guidance from an SEA. Therefore, an LEA ESSER project that an SEA is approving and has been initiated or is already underway should not have to be rebid.

Prior Approval Timeline

When must SEA prior approval occur?

- SEA approval can come at any point in the project timeline until the point that reimbursement using ESSER funds occurs.
- As described in the response to the first question, States have the flexibility to develop or refine their own prior approval processes to ensure that an allowable expenditure is reasonable and necessary and is otherwise in line with program, Uniform Guidance, and other applicable requirements. Ideally the SEA review process is complete as soon as possible on a project's timeline, but a State may utilize this flexibility at any point in the project process.
- This continuum includes up until the point when the Federal funds are actually approved for reimbursement.

Applicability of NEPA

Is NEPA applicable to LEA construction projects funded with ESSER funds?

- No. NEPA is not applicable to LEA construction projects that are funded with ESSER funds.
- 34 CFR § 75.601 requires an applicant to submit an environmental assessment of the impact on the proposed construction that is consistent with relevant provisions of the National Environmental Policy Act (NEPA). This provision only applies to construction projects that are operated and managed by the Department and require direct approval from the Department. Due to the nature of the ESSER funds, the Department does not: have a decision-making role in planning the specific projects, or directly manage the implementation or procurement for LEA projects such as the HVAC projects or have the power to act on any environmental effects revealed by an environmental assessment.

Applicability of NEPA

Is NEPA applicable to LEA construction projects funded with ESSER funds? ***(continued)***

- In addition, the Department does not exercise control over the use of the funds for any individual project, as long as the project continues to meet all statutory and other applicable requirements (such as the Uniform Guidance and the Department's administrative regulations). As a result, these types of LEA ESSER projects are not considered as a "major Federal action" under the NEPA provisions and are not subject to 34 CFR§ 75.601.
- While NEPA is not applicable, the Department highly encourages States to require some type of environmental assessment for LEA projects that involve breaking new ground such as for expanding the size of an existing facility or replacing an outdated facility. This may already be required by some State laws and is a prudent step that would help to assess any potential environmental ramifications of expanding or replacing school facilities and ensure compliance with any applicable State, local or Federal environmental requirements.
- .

Federal Partners: EPA & DoE

- **Sheila Brown,** Program Analyst, U.S. Environmental Protection Agency
- **Katy Hatcher**, ENERGY STAR Program Public Sector National Program Manager, U.S. Environmental Protection Agency
- **Amy Jiron**, Team Lead and Acting Commercial Buildings Integration Program Manager, U.S. Department of Energy

Energy Savings + Healthy Indoor Air: A Winning Combination for Schools

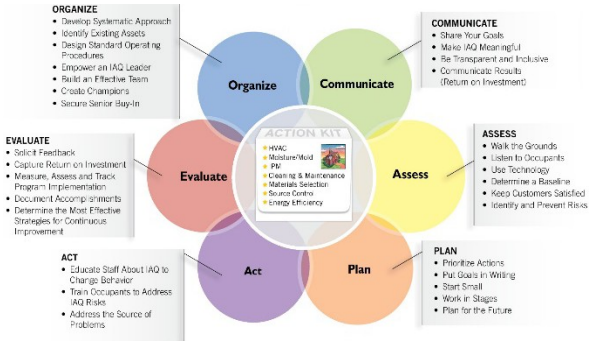
Tracy Washington Enger
EPA, Indoor Environments Division

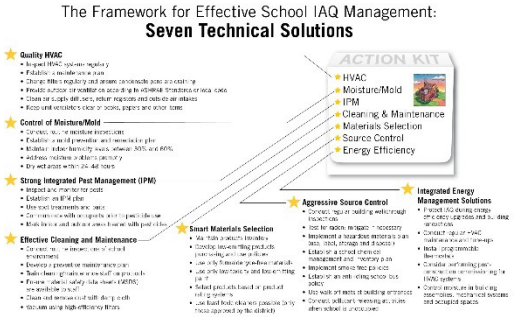
Good Indoor Air Quality Is Important in Schools

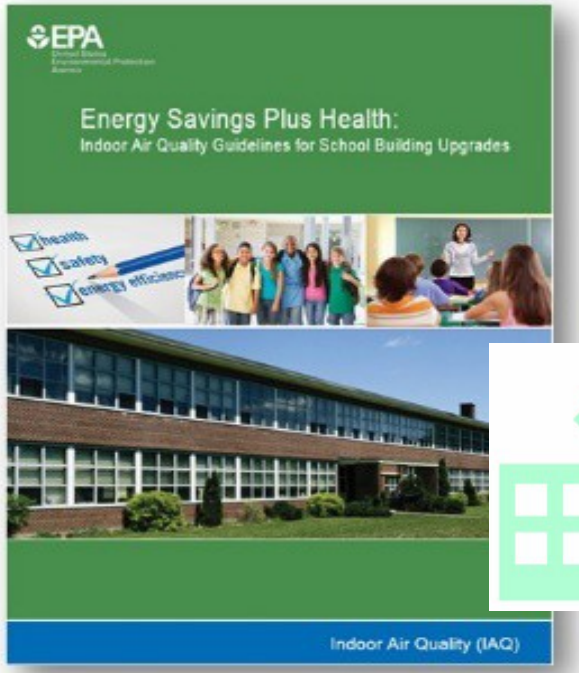
- IAQ affects the health, productivity, performance and comfort of students, teachers and staff.
- Poor IAQ in a school building can cause students and staff to suffer adverse health effects, including respiratory infections, asthma and allergies.
- Managing the environmental quality of school facilities can improve student performance, as well as teacher and staff productivity.
- Good IAQ starts on the drafting table, when the building is first designed, and continues through materials selection, actual construction, ongoing maintenance, and projects to renovate and upgrade the facility.

The Value of IAQ Preventive Maintenance:
Saving Costs with Healthy, Reliable and Efficient School Buildings

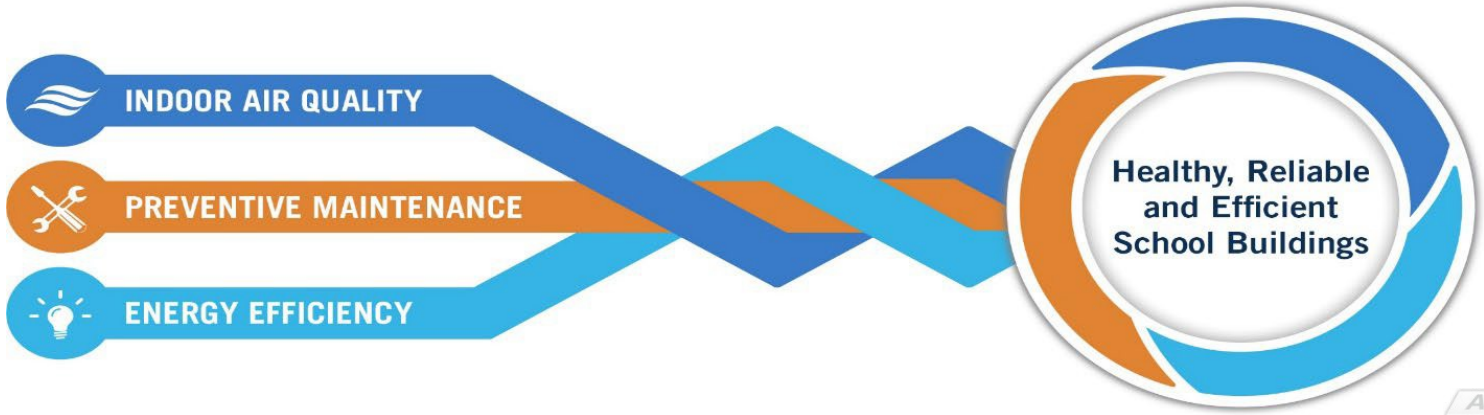
Tools and Resources for Taking Action in Schools







IAQ PLANNER



Quality HVAC

- Inspect HVAC systems regularly.
- Establish a maintenance plan.
- Change filters regularly and ensure condensate pans are draining.
- Provide outdoor air ventilation according to ASHRAE standards or local code.
- Clean air supply diffusers, return registers and outside air intakes.
- Keep unit ventilators clear of books, papers and other items.

Integrated Energy Management Solutions

- Protect IAQ during energy efficiency upgrades and building renovations.
- Conduct regular HVAC maintenance and tune-ups.
- Install programmable thermostats.
- Consider performing post-construction commissioning for HVAC systems.
- Control moisture in building assemblies, mechanical systems and occupied spaces.

ROI Considerations

- Holistic approach to combining IAQ and energy efficiency has benefits.
  - Energy savings
  - Reduced maintenance expenses
  - Less surprise expenses for better planning
  - Less unexpected equipment down-time
  - Cost avoidance from
    - Missed school days due to IAQ related illnesses such as asthma, upper respiratory system related issues, etc.

Value Proposition

- Define your program goals.
- Create a value proposition to secure buy-in.
- Use financing tools to make the business case.

Example Goals

Reduce energy use and/or costs by XX% by XX date.

Reduce IAQ-related complaints by XX% by XX date.

ENERGY STAR®
Cash Flow Opportunity Calculator
Know when to finance energy efficiency projects

ENERGY STAR

Value Proposition

Align Your Goals with the Core Mission

November 2017

Making the Case for Preventive Maintenance and Proactive Indoor Air Quality Management: Value Proposition Worksheet

The condition of the indoor environment in schools has a direct impact on health and performance outcomes for students and staff. Although most schools are working hard to provide a safe and healthy learning environment for all, there are times when a focused pitch is needed to help make the case for a specific action or program to an intended audience (e.g., superintendent, school board, teachers, facility director). Your value proposition statement is your "elevator pitch" for quickly describing the benefits of your program. The purpose of your statement is to demonstrate to your intended audience that your proposed activities are critical and worth funding/supporting.

This worksheet provides two tables to help you identify the key components of your value proposition. Once you have obtained your audience's attention, you can use the other components of your value proposition to secure their support.

Value Proposition Example:

The bold goal my program is focused on *is creating healthy learning environments for our students, protecting the health of custodial staff, and increasing the lifespan of the facilities by implementing preventive maintenance best practices as part of a comprehensive indoor air quality management program.*

In addition, implementing preventive maintenance practices keeps our facilities in good working order and

By developing and implementing a preventive maintenance plan, PA Area School District saved $500,000 in reactive / emergency maintenance costs within the first 2 years.

- The bold goal my program is focused on is creating healthy learning environments for our students, protecting the health of custodial staff, and increasing the lifespan of the facilities by implementing preventive maintenance best practices as part of a comprehensive indoor air quality management program.
- In addition, implementing preventive maintenance practices keeps our facilities in good working order and helps extend the life of our equipment and assets, which will save money in the long run.

Value Proposition

- Talk to your decision makers about the air quality in your schools.
- Ensure common practices for EE and IAQ are handled holistically
- Share these resources (Mobile App, etc.)

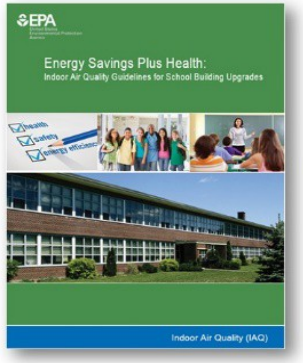
EPA Resources to Get You Started!

IAQ Tools for Schools
Action Kit

IAQ Tools for Schools
Mobile App

Framework for Effective IAQ Management

IAQ Master Class Professional Training Webinar Series



IAQ PLANNER

Energy Savings Plus Health Guide and Interactive Air Quality Planner

IAQ Tools for Schools **Preventive Maintenance Guidance**

www.epa.gov/iaq-schools

Thank You!

Tracy Washington Enger
U.S. Environmental Protection Agency,
Washington, DC
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ENERGY STAR for Schools

Managing Energy Efficiency and Indoor Air Quality Together

Caterina (Katy) Hatcher
ENERGY STAR National Public Sector Manager
hatcher.caterina@epa.gov

LEARN MORE AT
energystar.gov

Manage Energy Efficiency and Indoor Air Quality Together!

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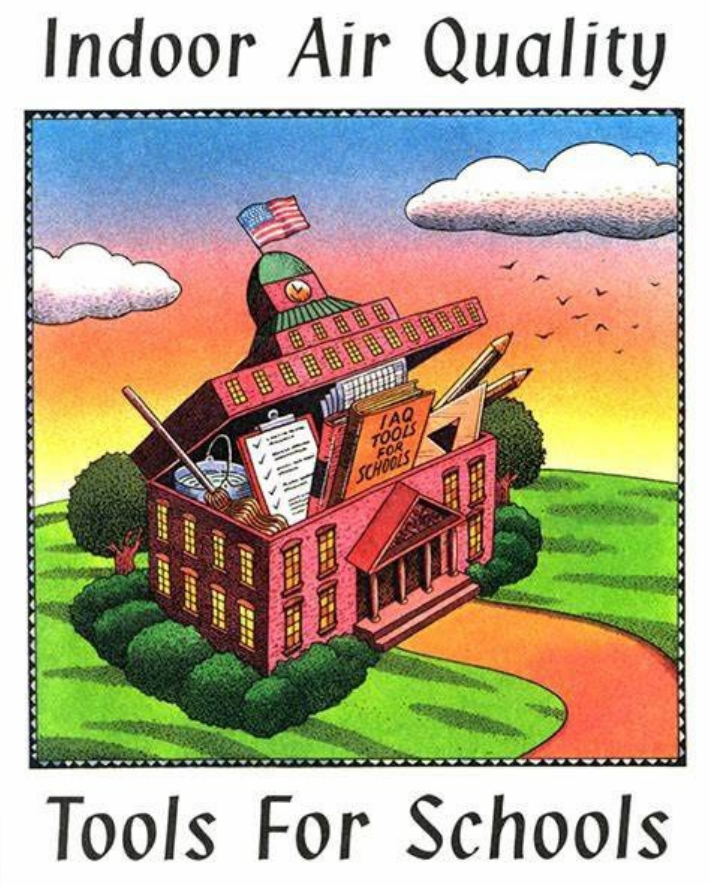


- **275,000** buildings last year
- Nearly 25% of all floorspace
- **37** state & local benchmarking policies
- **One** foreign government (Canada)

ENERGY STAR® PortfolioManager®

Management Tool

- Assess whole building energy and water consumption, plus waste
- Track green power purchase
- Share/report data with others
- Track changes in energy, water, greenhouse gas emissions, and cost over time
- Create custom reports
- Apply for ENERGY STAR certification

ENERGY STAR®
PortfolioManager®

Hundreds of metrics, including:

Energy use
Source, site, weather normalized, demand

Water use
Water use intensity,
Water Score (for Multifamily)

Waste & Materials
Waste intensity, diversion rate

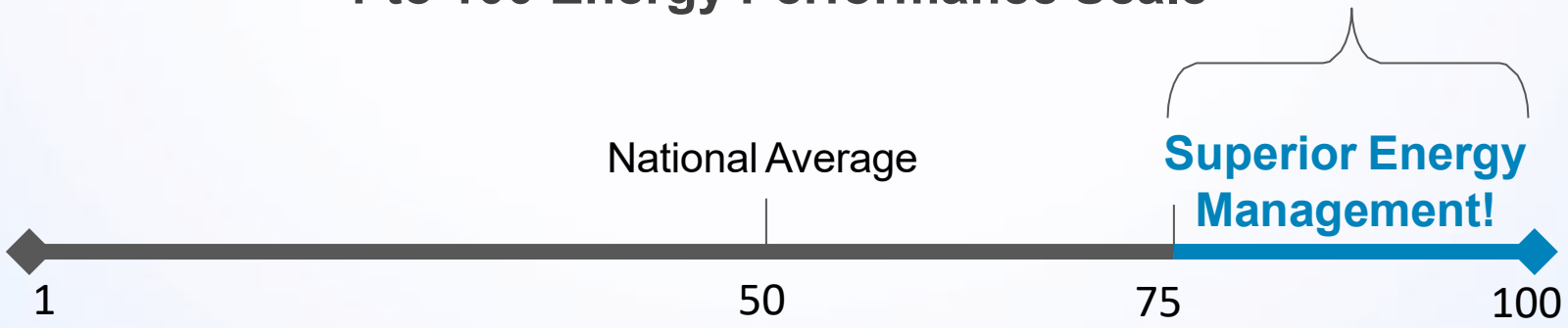
1-100 ENERGY STAR score

GHG emissions
Indirect, direct, total, avoided

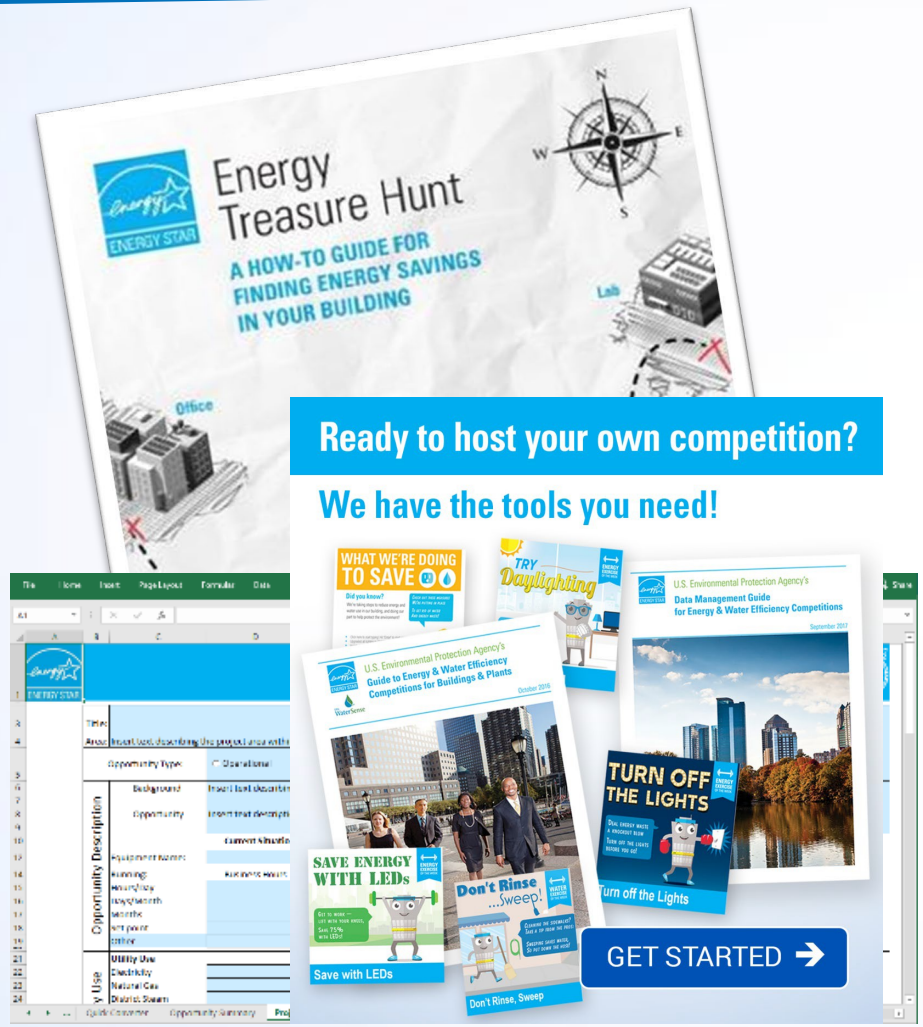
ENERGY STAR Certification and IAQ

- Benchmark building in ENERGY STAR Portfolio Manager
- Achieve an ENERGY STAR score of 75 or higher
- Minimum meet ASHRAE 62.1 and 55, meet IESNA Lighting Handbook
- Application must be verified by a licensed professional
- Re-apply annually to keep current but monitor energy use and IAQ continuously.

1 to 100 Energy Performance Scale



EPA's ENERGY STAR Tools and Resources to Help School Districts



- Portfolio Manager
- Competition Guide
- Treasure Hunt maps
- ENERGY STAR certification
- Online help/training
- Implementation support
- …and more!

energystar.gov

School District Highlights

- Benchmarked all facilities
- Effective communication with stakeholders
- Preventive maintenance and retro-commissioning
- Implemented return to learn plan
- Additional cleaning
- Social distancing
- Equipment maintenance/preventive maintenance
  - Focus on ERVs and air handlers
  - Air filters
- Focus on IAQ
  - Runtimes for ventilation
  - Equipment is calibrated
  - Ensure CO2 control is working properly
  - CO detectors
  - Humidity sensors
  - Filter status
- Monitor trends

DesMoines PUBLIC SCHOOLS

- Partner of the Year – Energy Management 2012 to 2020
- Partner of the Year – Climate Communicator 2014 to 2016
- 80% of Eligible Buildings are Currently ENERGY STAR Certified

DMPS ESSER II Funds Use

- Ventilation Improvements
- Humidity Control
- Drinking Fountain Replacement

ESSER II
Elementary and Secondary School Emergency Relief

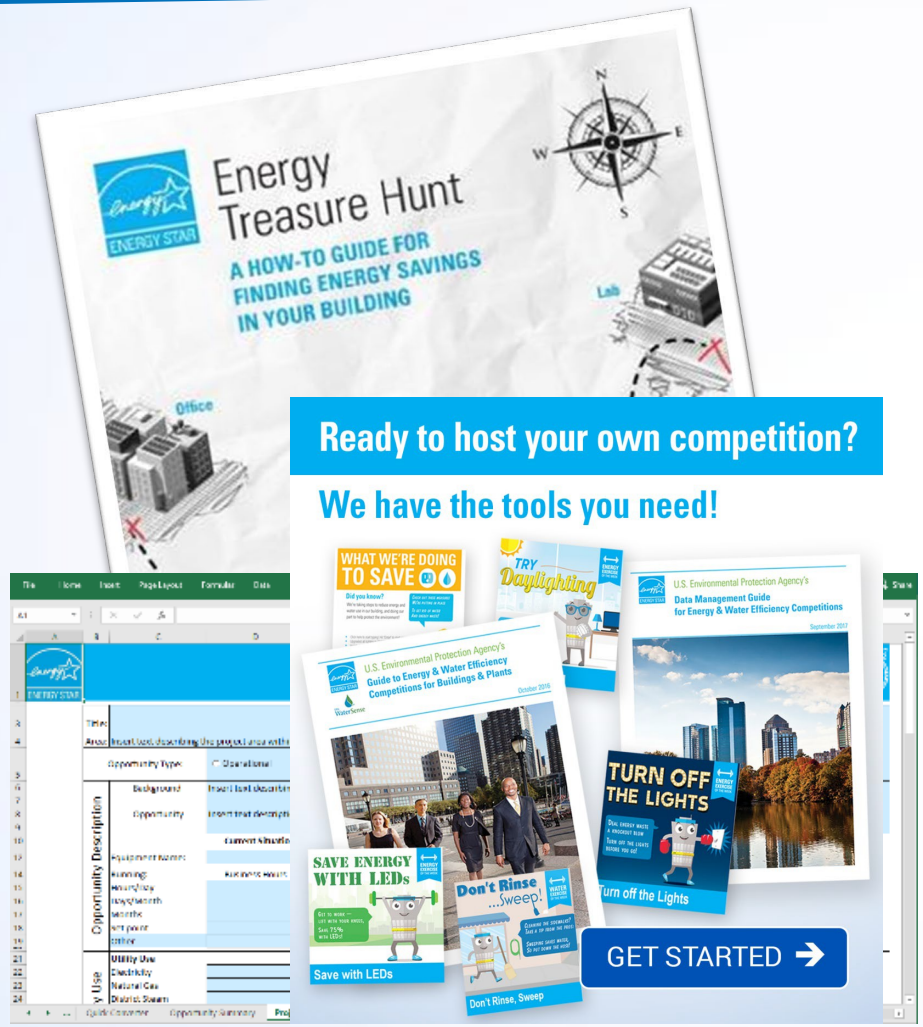
School District Highlights

- Full review of all ventilation systems
- Measured airflow and documented findings for all facilities
- Moved from MERV8 to MERV13 filtration
- Provided HEPA & UV light advanced filtration system to spaces with special ventilation/filtration requirements
- Employ air cleaners
- Continuous monitoring and preventive maintenance with a strong customer feedback system
- CLICK HERE to get the full report

Fairfax County PUBLIC SCHOOLS
ENGAGE • INSPIRE • THRIVE

- Partner of the Year – Energy Management 2017 to 2020
- 2021 WELL Health-Safety Rating seals are awarded to all FCPS facilities – International WELL Building Institute
- 2021 – Deferred goal achievement status to allow for normal operations to resume
- 200 schools ENERGY STAR certified

EPA's ENERGY STAR Tools and Resources to Help School Districts



- Portfolio Manager
- Competition Guide
- Treasure Hunt maps
- ENERGY STAR certification
- Online help/training
- Implementation support
- …and more!

hatcher.caterina@epa.gov

U.S. DEPARTMENT OF ENERGY

Office of ENERGY EFFICIENCY & RENEWABLE ENERGY

Back to *Better* Schools

DOE Building Technologies Office and Weatherization and Intergovernmental Programs Office

COVID…a big problem with an energy efficiency connection.

Approximately 100,000 U.S. public K-12 schools and 13,000 school district house 50 million students and 3 million teachers.

U.S. public K-12 schools consume 65 TWh of electricity, 140 TBtu of natural gas annually, resulting in between $5 and $10 billion in utility bills and contributing 33 million metric tons of carbon dioxide equivalent emissions (0.6% of U.S. greenhouse gas emissions).

Building ventilation investments improve air quality and can either increase or reduce energy consumption.

"Schools face tough decisions when it comes to putting federal relief funding to good use. As a one-time infusion, we believe this funding is uniquely well-suited for facilities investments, which can increase health and well-being, lower carbon emissions, and reduce operating costs in the long run."

-Thank you Anisa Heming!

Center for Green Schools at the U.S. Green Building Council

"States and district facilities managers need independent sources of information and technical assistance to guide their decisions on facilities standards, policy, practice, and procurement. The Department of Energy will be a valuable partner to states and districts as they work to deliver healthy and efficient modern facilities across all communities."

-Thank you Mary Filardo!

21st Century Schools Fund

"Our K-12 public schools represent an opportunity for 1 in 6 Americans to walk in the door of a clean energy success story every day. We applaud the DOE's leadership in convening public and private partners to support our K-12 sector in making the transition to clean energy and ensuring our young people are prepared to shape and lead the clean energy transition."

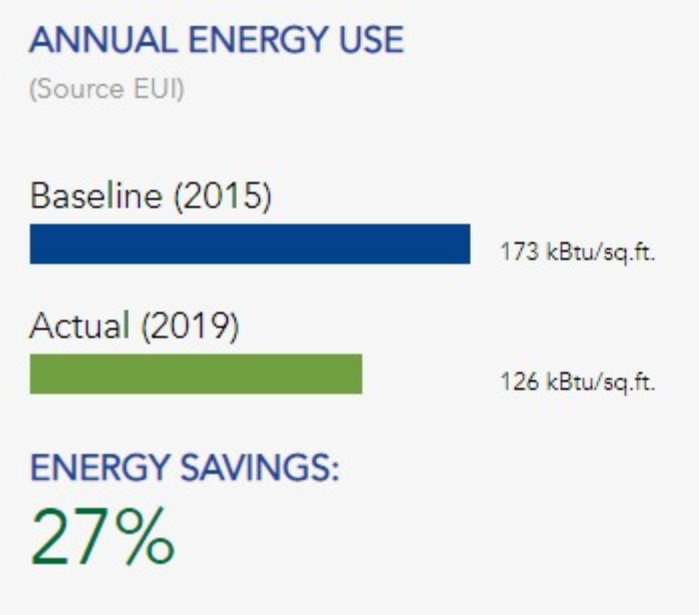
Jonathan Klein,

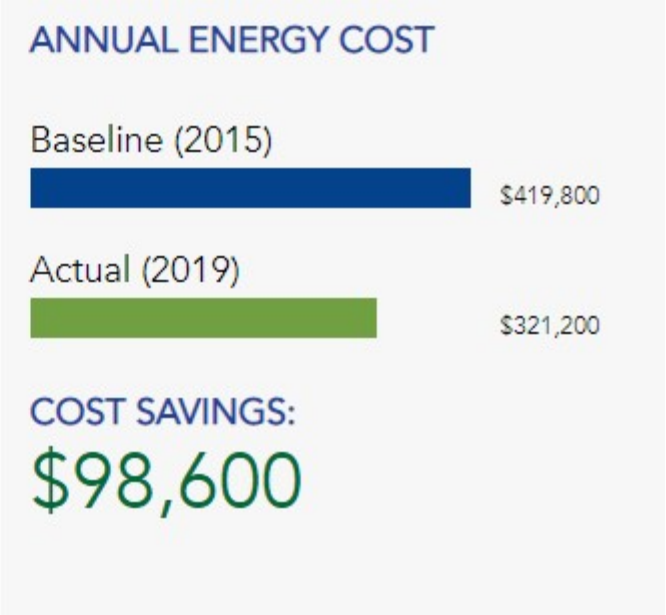
UndauntedK12

How to Save $$, Improve Comfort & Provide Healthy Conditions

Upgrades at Parkway West High School in Chesterfield, Missouri

- Optimize HVAC supply air temperature
- Optimize air flow
- Increase outside air
- Add CO2 control and balance outside air delivery based on ventilation requirements
- Balance heating and cooling water systems for better pump operation
- Balance heating system (water)





U.S. Department of Education

Search...

Student Loans | Grants | Laws

Improving Ventilation in Schools, Colleges, and Universities to Prevent COVID-19

Did you know? You can use American Rescue Plan (ARP) education funds further described below to improve indoor air quality for in-person instruction, including through:

- Inspection, testing, and maintenance of current ventilation systems and approaches
- Purchasing portable air filtration units, such as HEPA air filters
- Purchasing MERV-13 (or higher) filters for your HVAC system and ACs
- Purchasing fans
- Repairing windows and/or doors so that they can open to let fresh air in
- Servicing or upgrading HVAC systems consistent with industry standards
- Purchasing equipment to run outdoor classes
- Purchasing carbon dioxide (CO2) monitors, air flow capture hoods, and anemometers for custodians and building personnel to assess ventilation
- Paying for increased heating/cooling costs due to increased use of heating/cooling systems
- Other spending that supports 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.

Several states described spending of prior/current ESSER funds towards HVAC, ventilation, and/or indoor air quality improvements in their State Plan.

Examples: Delaware, Kentucky, Michigan

State	Status of ARP ESSER State Plan	Descriptions of prior/current ESSER spending in the State Plan
Delaware	Approved	$26,209,039 on indoor air quality / HVAC $6,417,665 on facility repairs
Kentucky	Approved	$38,422,506 on improve indoor air quality
Michigan*	Under review	$143,105,465 on indoor air quality, including HVAC system upgrades

* The Michigan Department of Environment, Great Lakes, and Energy (EGLE) offered the Michigan K-12 Public School HVAC Assistance Program, to provide air quality assessment tools, webinars, and best practices, as well as to receive recommendations for remediation of identified issues.

Most states* describe plans to improve HVAC, ventilation, and/or indoor air quality in their State Plan.

Examples: South Carolina, Hawaii, California

* At least 30 out of the 44 State plans submitted (as of 9/1/2021).

Back to *Better* Schools: DOE, Education and EPA

Who? DOE, Ed, EPA, LBNL, and *you*!

What? DOE, Ed and EPA providing a consolidated suite of tools and technical assistance to support efficient healthy school facility investments.

When? Starting now! Sign up online or by e-mailing EHSC@lbl.gov.

Why? These investments can:

- Reduce school energy expenditures,
- Improve comfort and safety,
- Ensure continuity of operations and resilience,
- Enable accessibility and transparency into facility status,
- Ease operation,
- Create pathways for better teacher retention and productivity.

As a participant, you:

- Commit to efficient and healthy upgrades in your school(s)
- Engage in peer-to-peer learning
- Participate in the development of technical resources to simplify and scale technical solutions, i.e. purchasing templates

EFFICIENT HEALTHY SCHOOLS CAMPAIGN

Back to *Better* Schools: DOE, Education and EPA

Seeking schools to demonstrate best practices :

HVAC Inspection and Maintenance for IAQ
Schools and their school districts that implement an inspection and maintenance policy to ensure adequate ventilation and effective filtration for good indoor air quality (IAQ).

Efficient HVAC for IEQ
Schools and their school districts that use technical specifications for HVAC retrofits, upgrades, and/or replacement, resulting in reduction in energy costs and improvements in energy efficiency and indoor environmental quality (IEQ).

Ongoing Monitoring and Analytics for HVAC performance
Schools and their school districts that use energy management and information system (EMIS) to improve HVAC performance and operation through fault detection and diagnostics, benchmarking, and commissioning.

Teamwork to Support Strategic Investments in Efficient Healthy Schools
School and their school districts with a formal collaboration between facilities personnel, school administration, and the community for strategic planning and investment in efficient healthy buildings.

EFFICIENT HEALTHY SCHOOLS CAMPAIGN

What else are we doing for school facilities?

- Continue existing relationships through the Better Buildings Challenge for K-12 school districts.
- Consolidate information on existing programs and financing mechanisms.
- Piloting virtual school audits with Asset Score.
- Convening school stakeholders:
  - to align messaging,
  - work collectively to solve identified needs and barriers, including across school type and region,
  - provide solutions to help de-carbonize schools. and
  - especially provide support in disadvantaged communities.

Thank you!

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Join the Efficient Healthy Schools Campaign!

State Partners: Maine & Utah

- **Shelly Chasse Johndro**, Director of the Office of Federal Emergency Relief Programs and State Ombudsman, Maine Department of Education
- **Jaci Holmes**, Federal State Legislative Liaison, Maine Department of Education
- **Ricky Martinez**, Assistant Director of Facility Services, Salt Lake City School District

Construction, Renovation, HVAC

Maine Department of Education
Office of Federal Emergency Relief Programs (OFERP)

Maine Department of Education

Getting Started, Background

- Team Research
  - Nationwide Examples and Resources
- Federal Programs Experience
  - UGG, EDGAR and CFR
- Electronic Grant Management System
  - Small, independent organization that has supported the Department for 20+ years
- Office of School Facilities and Transportation
  - Title 20-A Maine Revised Statutes, §15905-A. Approval of nonstate funded projects

Maine Department of Education

Resources and Support

- COVID-19 Toolkit
  - https://www.maine.gov/doe/covid-19/toolkit
- Federal Emergency Relief Programs (under construction)
  - https://www.maine.gov/doe/covid-19/fedrelief
- Biweekly Office Hours
  - Open to all
- One-on-One Technical Assistance
  - Virtual, Considerations, Follow-up questions
  - Highlight FAQ B-6 and B-7
  - Document the determination of essential needs

Maine Department of Education

Maine's Process – ESSER Application

- Certified Assurances
  - "The SAU will comply with the provisions of all applicable acts, regulations and assurances; the following provisions of Education Department General Administrative Regulations (EDGAR) 34 CFR parts 76, 77, 81, 82, 84, 97, 98, and 99; the OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Non procurement) in 2 CFR part 180, as adopted and amended as regulations of the Department in 2 CFR part 3485; and the Uniform Guidance in 2 CFR part 200, as adopted and amended as regulations of the Department in 2 CFR part 3474.
- Develop project(s) utilizing allocation
  - provide a project description, alignment to an allowable use, the narrative to justify the necessity, and document a reasonable budget

Maine Department of Education

Maine's Process – Project Review

- While construction is generally allowable, it is the responsibility of a Governor, SEA, LEA, or other subgrantee to assure that individual costs:
  - comply with the Cost Principles in 2 CFR Part 200, subpart E (e.g., the cost must be "necessary and reasonable" (2 CFR §§ 200.403-200.404));
  - meet the overall purpose of the CARES Act, CRRSA Act, or ARP Act programs, which is "to prevent, prepare for, and respond to" COVID-19; and
  - are consistent with the proper and efficient administration of those programs. Under these general principles, any construction activities, including renovations or remodeling, that are necessary for an LEA to prevent, prepare for, and respond to COVID-19 could be permissible, though the burden remains on grantees and subgrantees to maintain the appropriate documentation that supports the expenditure.

Maine Department of Education

Maine's Process – Capital Improvement

- Internal Checklist that defines Capital Improvement
  - School Construction Project defined in Maine Revised Statutes, Title 20-A, Section 15901

- If yes, the project warrants a Construction Form
  - Breaking new ground, changing the footprint of the building, on-site addition to existing schools
  - Has heating, plumbing and electricity
  - Is permanent (i.e. designed to last a decade in Maine weather)
  - Project is part of another construction project that uses state funds/revolving renovation fund
  - Project required drawings/architectural design

Maine Department of Education

ESSER Application Construction Form

- State Statues, Definitions, ESSER FAQs, EDGAR, UGG and CFR
- Identification Information: SAU Name, Contact Person, Email
- ESSER funding sources and amounts proposed for the project
- Narratives addressing:
  - steps conducted to obtain the Commissioner and/or local voters' approval
  - how the project is functional, economical, and not elaborate
  - how the SAU will maintain the facility and/or has the support of the community to continue the maintenance of the facility
- Applicable assurances and certifications are provided, which a SAU authorized official must certify, such as:
  - complete the project in a reasonable time period and consistent with the approved plans and specifications
  - maintain appropriate documentation that supports expenditures for the proposed School Construction Project including Davis-Bacon prevailing wage requirements
  - procure a qualified individual or firm, for example a licensed architect or professional engineer, through a Request for Qualifications Process

Maine Department of Education

Maine Examples

Renovation

- Additional Classroom Space
- growth in enrollment - need additional instructional space
- relocated teacher's room, and stages as teaching space
- construct walls in the current library space and oversized classroom
- cost $89,100 for constructions services, addition of a sprinkler system, and the purchase and installation of a divider curtain in the gymnasium

Construction

- 3 new K-Classrooms
- Analyzed existing space which limits options for return to full-time instruction while following social distancing
- expected to begin fall 2021 and completed start of 2022-23 school year
- cost $1,200,000 for design, equipment, labor and material costs

Maine Department of Education

LD 705: Improve Air Quality & Ventilation

- As the result of State Legislative Document 705, now Resolve 2021, Chapter 114, the State Board of Education is required to amend rule Chapter 60, 61 and 125 to require standards governing air quality and ventilation for all public schools including schools with mechanical and non-mechanical ventilation systems.

Maine Department of Education

LD 705: Continued

- Therefore, the State Board of Education is proposing in a targeted rulemaking for Chapter 60, 61 and 125 the following language to each of the rules in the appropriate location:
  - "The school administrative unit will utilize the best- available practice national standard s of the American Society of Heating, Refrigerating and Air Conditioning Engineers (ASHRAE) for inspection, maintenance, ventilation and filtration."
- Maine's school administrative units by statute are required to follow ASHRAE standards.

Maine Department of Education

Maine Examples

$16 million has been allocated to air quality

- Unit ventilators and heating controls ensuring adequate ventilation and air
- Update HVAC system with new rubber flex connectors
- Equipment to add fresh air to spaces not currently ventilated
- Install Air Handling Units
- Install bipolar ionization system
- Rooftop HVAC units that allow the highest level of air filtration through HEPA filters
- Purchase stand-alone air purifiers for classrooms

Maine Department of Education

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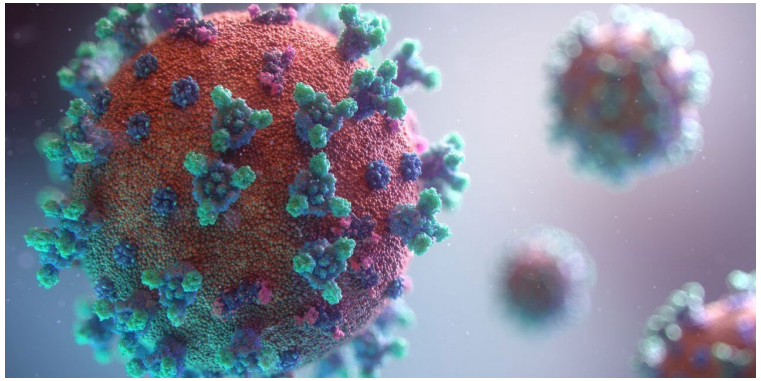
Maine Department of Education

Ricky Martinez Assistant Director Of Facility Services
Salt Lake City School District
K-12 24,020 Students, 38 Facilities, 4,600,000 sq ft

ESSER Funds/IAQ

- HVAC Equipment
- Filters
- Cleaning Equipment & Products
- Employees



Questions

- What is Davis Bacon and when does it apply?
- Is replacing a roof an allowable use of funds?
- Can ESSER funds be used for mold, radon or asbestos abatement projects in order to improve indoor air quality?

Thank you for participating in today's webinar.

If you have additional questions that were not addressed in today's presentation, please send them to your State email box, [STATE].oese@ed.gov.

A recording of this webinar will be posted on the ARP ESSER Resources page: https://oese.ed.gov/offices/american-rescue-plan/american-rescue-plan-elementary-and-secondary-school-emergency-relief/resources/