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ARP Act Funding

Information on the American Rescue Plan Act of 2021 (ARP Act), including the Elementary and Secondary School Emergency Relief III (ESSER III) Fund.

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In response to the 2019 Novel Coronavirus (COVID-19), the U.S. Congress passed American Rescue Plan (ARP) Act, which was signed into law on March 11, 2021. This federal stimulus funding is the third act of federal relief in response to COVID-19, following the Coronavirus Aid, Relief, and Economic Security (CARES) Act signed into law on March 27, 2020, and the Coronavirus Response and Relief Supplemental Appropriations Act, 2021 (CRRSA Act) signed into law on December 27, 2020. For more information on the CARES Act, please visit the California Department of Education (CDE) [CARES Act Funding web page](#). For more information on the CRRSA Act, please visit the [CDE CRRSA Act Funding web page](#).

The main funding source for local educational agencies (LEAs) in the ARP Act is the ESSER III Fund. The ESSER III Fund accounts for nearly \$122 billion of funding for all states and California's allocation is \$15,068,884,546. The ARP Act also requires the U.S. Department of Education (ED) to reserve \$800 million to support efforts to identify homeless children and youth, and provide such youth with comprehensive, wrap-around services that address needs arising from the COVID-19 pandemic and allows them to attend school and participate fully in all school activities. California's allocation for these funds is \$98,709,231. Additionally, within the ARP Act there is a program for non-public schools, the Emergency Assistance to Non-Public Schools II (EANS II) grant, which accounts for \$2.75 billion. The ESSER III funding provides LEAs with emergency relief funds to address the impact of COVID-19 on elementary and secondary schools across the nation.

New information and guidance will be added as it becomes available. If you would like to be notified when new information is available, please join the CDE's Federal Relief Funds listserv by sending a blank email message to join-edrelieffunds@mlist.cde.ca.gov.

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ESSER III Funds

Section 2001(c) of the ARP Act requires ED to allocate the ESSER III Fund based on the proportion that each State received under Title I, Part A of the Elementary and Secondary Education Act of 1965 (ESEA) in the most recent fiscal year. California's allocation for ESSER III is \$15,068,884,546.

Funds may be used for pre-award costs dating back to March 13, 2020, when the national emergency was declared. These funds are available for obligation by the state and subrecipients through September 30, 2024.

Each state must use no less than 90 percent of its allocation (\$13,561,996,091) to make subgrants to LEAs, based on each LEA's share of funds received under Title I, Part A in fiscal year 2020–21.

ESSER III Application for Funds – Open Until December 17, 2021

In order to receive an allocation, LEAs must submit the ESSER III Legal Assurances, which are currently available. In order to be included in the first apportionment, assurances must be completed by June 25, 2021. Please see the [ESSER III Formula Allocations section](#) for the allocations.

The ESSER III Fund Application will close on December 17, 2021.

ESSER III Assurances

Additionally, the CDE has created a search application which will display the application submission status of educational entities for the ESSER III Fund.

ESSER III Search

ESSER III Allowable Uses

The ESSER III Funds can be used in much the same way as the ESSER I Funds under the CARES Act and ESSER II Funds under the CRRSA Act.

1. Any activity authorized by the ESEA, the Individuals with Disabilities Education Act (IDEA), the Adult Education and Family Literacy Act (AEFLA), or the Carl D. Perkins Career and Technical Education Act of 2006 (Perkins).
2. Coordination of LEA preparedness and response efforts with state, local, tribal, and territorial public health departments, and other relevant agencies, to improve coordinated responses with other agencies to prevent, prepare for, and respond to coronavirus.
3. 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.
4. Developing and implementing procedures and systems to improve the preparedness and response efforts of LEAs.
5. Training and professional development for LEA staff on sanitation and minimizing the spread of infectious diseases.
6. Purchasing supplies to sanitize and clean the facilities of an LEA, including buildings operated by such agency.
7. Planning for, coordinating, and implementing activities during long-term closures, including how to provide meals, technology for online learning, guidance on IDEA requirements, and ensuring other educational services can continue to be provided consistent with all applicable requirements.

8. Purchasing educational technology (including hardware, software, and connectivity) for students served by the LEA that aids in regular and substantive educational interactions between students and their classroom teachers, including low-income students and children with disabilities, which may include assistive technology or adaptive equipment.
9. Providing mental health services and supports, including through the implementation of evidence-based full-service community schools.
10. 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, students with disabilities, English learners, migrant students, students experiencing homelessness, and children in foster care.
11. Addressing learning loss among students, including low-income students, students with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and children in foster care, of the local educational agency, including 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 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.
 - Tracking student attendance and improving student engagement in distance education.
12. School facility repairs and improvements to reduce risk of virus transmission and exposure to environmental health hazards, and to support student health needs.
13. 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.
14. 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
15. Other activities that are necessary to maintain operations and continuity of services and continuing to employ existing staff.

ESSER III Formula Allocations

The Schedule of Allocations can be found on the [ESSER III Funding Results page](#).

In order to receive an allocation, LEAs must submit the ESSER III Legal Assurances, which will be available soon.

ESSER III fund allocations are based on an LEA's share of funding received under Title I, Part A in fiscal year (FY) 2020–21. To have received 2020–21 Title I, Part A, an LEA must have:

- Been deemed an eligible LEA as reflected by a minimum U.S. Census Bureau estimated poverty count of 10 and poverty rate greater than 2%; and,
- Applied for funds on CARS no later than March 31, 2021 (deadline extended to April 16, 2021); and,
- Submitted the Local Control and Accountability Plan (LCAP) Federal Addendum no later than April 16, 2021

Exception

ESSER III fund allocations for new or significantly expanding charter schools in FY 2021–22 are based on their share of funding received under Title I, Part A in FY 2021–22. To have an FY 2021–22 Title I, Part A allocation, the charter school must have:

- Been deemed an eligible LEA as reflected by a minimum U.S. Census Bureau-equivalent poverty count of 10 or more and a minimum poverty rate greater than 2% as of October 7, 2021; and,
- Applied for funds on CARS no later than March 31, 2022; and,
- Submitted the LCAP Federal Addendum no later than March 31, 2022

ESSER III SEA Reserve Funds

The ESSER III state educational agency (SEA) Reserve funds account for \$1,506,888,455. This funding will be determined through the budget process.

However, unlike ESSER I under the CARES Act and ESSER II under the CRRSA Act, the ESSER III SEA Reserve requires that the state spends these funds in the prescribed manner below.

- 5% for activities related to Learning Loss
- 1% for summer enrichment activities
- 1% for after school programs
- 2.5% to be spent at the discretion of the state
- 0.5% for administration of ESSER III

Please check back for future updates.

Homeless Children and Youth

California has been allocated \$98,709,231 for ESSER III Homeless Children and Youth (HCY). These funds may be used in accordance with all allowable uses under the McKinney-Vento Education for Homeless Children and Youth, including:

- Providing wraparound services (which could be provided in collaboration with and/or through contracts with community-based organizations, and could include academic supports, trauma informed care, social-emotional support, and mental health services);
- Purchasing needed supplies (e.g., personal protective equipment [PPE], eyeglasses, school supplies, personal care items);
- Providing transportation to enable children and youth to attend classes and participate fully in school activities;

- Purchasing cell phones or other technological devices for unaccompanied youth to enable the youth to attend and fully participate in school activities;
- Providing access to reliable, high-speed internet for students through the purchase of internet connected devices/equipment, mobile hotspots, wireless service plans, or installation of Community Wi-Fi Hotspots (e.g., at homeless shelters), especially in underserved communities;
- Paying for short-term, temporary housing (e.g., a few days in a motel) when such emergency housing is the only reasonable option for COVID-safe temporary housing and when necessary to enable the homeless child or youth to attend school and participate fully in school activities (including summer school); and
- Providing store cards/prepaid debit cards to purchase materials necessary for students to participate in school activities.

More information will be provided soon regarding ESSER III HCY.

EANS II

California has been allocated \$181,312,003 for EANS II. Similar to the CRSSA Act, Congress reiterated the need for non-public schools to participate in emergency education relief programs by establishing a separate program, rather than relying on the equitable services requirements that typically apply to elementary and secondary formula grant programs.

Consequently, LEAs are not required to provide equitable services for funds received under the ARP Act, though equitable services requirements continue to apply to CARES Act programs.

More information will be provided soon regarding EANS II.

Reporting

LEAs will be required to report on any ARP Act funds that they receive. These funds must be tracked and reported separately from CARES Act and CRSSA Act funds. Please visit the [CDE Federal Stimulus Funding web page](#) for reporting requirements. Reporting timelines are available on the [Federal Stimulus Funding Reporting web page](#).

Quarterly Expenditure Reports

The ARP Act Quarterly Expenditure Report data is available in the spreadsheets below.

[ARP Act ESSER III \(3213\), Cycle 1 \(March 13, 2020 – June 30, 2021\) \(XLSX\)](#)

[ARP Act ESSER III \(3214\), Cycle 1 \(March 13, 2020 – June 30, 2021\) \(XLSX\)](#)

ESSER III Plans

The ARP Act requires LEAs that receive ESSER III funds to complete a Safe Return to In-person Instruction and Continuity of Services plan. ED has issued requirements for this plan, and has also required LEAs to complete an Expenditure Plan for the use of ESSER III funds.

Safe Return to In-Person Instruction and Continuity of Services Plan

UPDATE (6-June-2021): Please find the Safe Return to In-Person Instruction and Continuity of Services Plan at the link below. It is expected that LEAs will provide high-level responses of approximately a couple paragraphs to each of the questions listed in the template. Submission and any questions regarding the template should be submitted to EmergencyServices@cde.ca.gov.

[ESSER III Safe Return to In-Person Instruction and Continuity of Services Plan Template \(PDF\)](#)

An LEA's plan must describe:

1. 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 following safety recommendations established by the Center for Disease Control (CDC):
 - Universal and correct wearing of masks.
 - Modifying facilities to allow for physical distancing (e.g., use of cohorts/ podding).
 - Handwashing and respiratory etiquette.
 - Cleaning and maintaining healthy facilities, including improving ventilation.
 - Contact tracing in combination with isolation and quarantine, in collaboration with the State, local, territorial, or Tribal health departments.
 - Diagnostic and screening testing.
 - Efforts to provide vaccinations to school communities.
 - Appropriate accommodations for children with disabilities with respect to health and safety policies.
 - Coordination with State and local health officials.
2. 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.
3. A description of the LEA's policy or practice that provided the public with an opportunity to provide comment and feedback and how such feedback was incorporated into the development of the plan.
4. Various assurances and contact information.

Until September 30, 2023, LEAs must regularly, but no less frequently than every six months (taking into consideration the timing of significant changes to CDC guidance on reopening schools), review and, as appropriate, revise its plan for the safe return to in- person instruction and continuity of services. LEAs must seek public input and take such input into account both when making revisions and when determining if revision are necessary. Any revisions must address an LEA's policies for each CDC updated safety recommendation.

If an LEA developed a plan, such as the COVID-19 Safety Plan required by the California Department of Public Health (CDPH) Guidance and Assembly Bill 86, prior to March 11, 2021 that addresses the safe return to in-person instruction and continuity of services, and that included public comment and took such comments into account in the development of the plan, but that does not contain policies adopted to address the recommendations established by the CDC, the LEA may continue to use that plan but must revise and post the revised plan within six months of completing

ESSER III assurances. The revised plan must address the recommendations established by the CDC. The LEA must still attest to having a prior plan and complete the relevant sections of the CDE provided template which can be found in the link above. Additionally, when reviewing and updating the Safe Return to In-Person Instruction and Continuity of Services Plan, LEAs must use the CDE provided template found above.

LEAs that adopted a COVID-19 Safety Plan after March 11, should review that plan and ensure it complies with the requirements noted above and revise or adopt a new plan as appropriate within 30 days of completing the ESSER III Assurances and then review, and as appropriate, revise, that plan within six months.

LEAs that did not adopt a COVID-19 Safety Plan during the 2020–21 school year, must adopt a Safe Reopening and Continuity of Services Plan using the CDE provided template within 30 days of completing the ESSER III Assurances. This plan must be reviewed again, and as appropriate, revised, within six months of adoption.

Expenditure Plan

UPDATE (14-July-2021): The deadline for the ESSER III Expenditure Plan has been extended to October 29, 2021.

UPDATE (30-June-2021): The ESSER III Expenditure Plan template and instructions are available at the link below. For assistance related to the ESSER III Expenditure Plan template and instructions please contact LCFF@cde.ca.gov. For all other questions related to ESSER III please contact EDReliefFunds@cde.ca.gov.

[ESSER III Expenditure Plan Template and Instructions](#) (DOCX; Posted 30-Jun-2021)

LEAs that receive ESSER III funds are required to develop a plan for how they will use ESSER III funds to, at a minimum, address students' academic, social, emotional, and mental health needs, as well as the opportunity gaps that existed before, and were exacerbated by, the COVID-19 pandemic. The plan is required to address the following:

1. The extent to which and how the funds will be used to implement prevention and mitigation strategies that are, to the greatest extent practicable, consistent with the most recent CDC guidance on reopening schools, in order to continuously and safely open and operate schools for in-person learning.
2. How the LEA will use the minimum of 20% of funds it reserves for learning loss to address the academic impact of lost instructional time through the implementation of evidence-based interventions, such as summer learning or summer enrichment, extended day, comprehensive afterschool programs, or extended school year programs.
3. How the LEA will spend its remaining ESSER III funds consistent with the allowable uses.
4. How the LEA will ensure that the interventions it implements, including but not limited to the interventions to address learning loss, will respond to the academic, social, emotional, and mental health needs of all students, and particularly those students disproportionately impacted by the COVID–19 pandemic, including students from low-income families, students

of color, English learners, children with disabilities, students experiencing homelessness, children in foster care, and migratory students.

In developing their plan, LEAs must engage in meaningful consultation with specified stakeholders, including: students; families; school and district administrators (including special education administrators); and teachers, principals, school leaders, other educators, school staff, and their unions. In addition, LEAs must also engage in meaningful consultation, to the extent they are present or served by the LEA, with: Tribes; civil rights organizations (including disability rights organizations); and stakeholders representing the interests of children with disabilities, English learners, children experiencing homelessness, children in foster care, migratory students, children who are incarcerated, and other underserved students. Finally, LEAs must provide the opportunity to provide public input and take such input into account.

The plan must be adopted by the local governing board or body of the LEA at a public meeting on or before October 29, 2021 and must be submitted for review and approval within five days of adoption. A school district must submit its ESSER III Expenditure Plan to its County Office of Education (COE) for review and approval. A COE must submit its plan to the CDE for review and approval via email at LCAPreview@cde.ca.gov. A charter school must submit its plan to its chartering authority for review, and to the COE of the county in which the charter school operates for review and approval.

For additional information please refer to the instructions for the ESSER III Expenditure Plan.

State Plan

Below is the version of California's ARP ESSER State Plan that was approved by the California State Board of Education on July 14, 2021 and submitted to ED on July 29, 2021. The CDE is pending ED's approval of California's ARP ESSER State Plan.

[ARP ESSER State Plan](#) (DOCX; Posted 12-Aug-2021)

Required Data Posting

Under the ARP Act, the CDE must make publicly available student enrollment data and, to the extent available, student attendance data for all students and disaggregated by students from low-income families, students from each racial and ethnic group, gender, English learners, children with disabilities, children experiencing homelessness, children in foster care, and migratory students for each mode of instruction.


The information can be found here: [Appendix A Data](#) (DOCX; Posted 21-Jun-2021)

Frequently Asked Questions (FAQs)

[ESSER III Fund FAQs](#) (Added 29-Jul-2021)

[ESSER III Expenditure Plan FAQs](#) (Added 16-Aug-2021)

[ED ESSER and GEER FAQs](#)  (PDF; Added 27-May-2021)


[ED Maintenance of Equity FAQs](#)  (DOCX; Added 09-Jun-2021)

Other Information

[ARP Act Text](#)  (PDF)

[ARP ESSER \(ESSER III\) Fact Sheet](#)  (PDF)

[ARP ESSER Interim Final Rule](#) 

[ESSER III Allocation Methodology and Table](#)  (PDF)

Questions: CDE Federal Stimulus Team | EDReliefFunds@cde.ca.gov

Last Reviewed: Monday, August 16, 2021
