

159 ARP - Elementary + Secondary Schools Emergency Relief Fund (ESSER III)

Fiscal Year: 21-22

Milestone: Final Approval Issued (Printed 2/3/2023)

District: South Whidbey School District

Organization Code: 15206

ESD: Northwest Educational Service District 189

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AMERICAN RESCUE PLAN (ARP)-ELEMENTARY AND SECONDARY SCHOOLS EMERGENCY RELIEF FUND (ESSER III) LEA APPLICATION (80% ALLOCATION)

Key Information

Program Information

Elementary and Secondary School Emergency Relief (ESSER III-ARP) funds, were authorized under Section 2001 of the American Rescue Plan (ARP) Act of 2021, enacted March 11, 2021. The Act provided to state educational agencies (SEAs) and school districts to help safely reopen and the safe operation of schools and address the impact of the coronavirus pandemic on the N students. **Funds to Local Educational Agencies (LEAs) are allocated on the basis of respective shares of funds received under Title I, Part A of the Elementary and Secondary Education Act of 1965 in fiscal year 2020. Therefore, districts will not receive the proportionate share of ESSER III-ARP funds as they did for the first round of ESSER (ESSER I).**

ESSER funds are allowable to fund costs incurred on or after March 13, 2020, when the pandemic was declared a national emergency, and all funds must be obligated by September 30, 2021. This includes one-year carryover as allowed under the Tydings Amendment (34 CFR 76.709). These funds are one-time funds that should not be committed to ongoing financial obligations.

Allowable Activities

This form package is for the remaining 80 percent of the total ESSER III-ARP allocation. The 20 percent required to address student learning recovery and acceleration (leverage) is in iGrants form package 153.

LEAs may use the remaining 80 percent allocation of ARP ESSER funds for activities allowable under section 2001(e) of the ARP. These allowable activities are outlined in the table on page 2.

NOTE:

- The following activities are not explicitly listed in the ARP Act but are still an allowable use of ARP ESSER funds:
 - Activities authorized by subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (McKinney-Vento) (42 U.S.C. 11431 et seq.)
 - Providing principals and other school leaders with the resources necessary to address the needs of their individual schools.

- This activity is only listed in the ARP Act but is an allowable use of ESSER I and ESSER II funds:
 - Developing strategies and implementing public health protocols including, to the greatest extent practicable, policies in line with guidance from the CDC for the reopening and operation of school facilities to effectively maintain the health and safety of students, educators, and other staff.

The US Department of Education (DOE) encourages LEAs to use the funds to safely reopen schools, maximize in-person instructional time for all students, and provide opportunities to address the impacts of lost instructional time resulting from the COVID-19 pandemic. When making decisions about how to use ESSER funds, LEAs are encouraged to take into consideration how the funds can be used to address inequities, including focusing supports and services on students from low-income families, students of color, students with disabilities, English learners, students experiencing homelessness, children and youth in foster care, migratory students, children who are incarcerated, and other underserved students who have been disproportionately impacted by the pandemic.

Generally, in determining whether an activity is an allowable use of funds, a LEA must determine:

- Is the use of funds intended to prevent, prepare for, or respond to the COVID-19 pandemic, including its impact on the social, emotional, mental health, and academic needs of students

- Does the use of funds fall under one of the authorized uses of ESSER funds?

- Is the use of funds permissible under the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance, 2 CFR Part 200)? In particular, is it necessary and reasonable for the performance of the ESSER award?

LEA Safe Return to In-Person Instruction Plan

An LEA that receives ARP ESSER funds must, within 30 days of receiving the funds, make p available on its website a plan for the safe return to in-person instruction and continuity of Before making the plan publicly available, the LEA must seek public comment on the plan. I are required to post to their website the June 1 plan due to OSPI to meet the federal requir outlined below. OSPI was intentional in the development of the plan template to ensure th requirements of both state and federal law.

ARP Section 2001 (i): SAFE RETURN TO IN-PERSON INSTRUCTION.— (1) IN GENERAL.—A educational agency receiving funds under this section shall develop and make publicly avail the local educational agency’s website, not later than 30 days after receiving the allocation described in paragraph (d)(1), a plan for the safe return to in-person instruction and contin services. (2) COMMENT PERIOD.—Before making the plan described in paragraph (1) public available, the local educational agency shall seek public comment on the plan and take suc comments into account in the development of the plan.

Fiscal Information

- There is no supplement not supplant requirement for the ESSER III-ARP funds. The federal unrestricted indirect rate is used for this grant. Also, the 21-22 federal indire used for this grant since the form package is in the 21-22 fiscal period. Indirect rate upcoming school year are uploaded prior to the annual launch of iGrants launch on N each year.
- There is no maintenance of effort requirement for the ESSER III-ARP funds for LEAs. **However, there is a new “maintenance of equity” requirement for the III-ARP funds for LEAs.** The US Department of Education has provided an FAQ on see at [Resources - Office of Elementary and Secondary Education](#). Also, below is the inform from Section 2004 (c) and (d) of the ARP:
 - (c) LOCAL EDUCATIONAL AGENCY MAINTENANCE OF EQUITY FOR HIGHPOVE SCHOOLS.— (1) IN GENERAL.—As a condition of receiving funds under sectic local educational agency shall not, in fiscal year 2022 or 2023— (A) reduce p funding (from combined State and local funding) for any high poverty school such local educational agency by an amount that exceeds— (i) the total redu local educational agency funding (from combined State and local funding) for served by the local educational agency in such fiscal year (if any); divided by

number of children enrolled in all schools served by the local educational agency in such fiscal year; or (B) reduce per-pupil, full-time equivalent staff in any high-poverty school by an amount that exceeds— (i) the total reduction in full-time equivalent staff in all schools served by such local educational agency in such fiscal year (if any); divided by (ii) the number of children enrolled in all schools served by the local educational agency in such fiscal year. (2) EXCEPTION.—Paragraph (1) shall not apply to a local educational agency in fiscal year 2022 or 2023 that meets at least 1 of the following criteria in such fiscal year: (A) Such local educational agency has a total enrollment of less than 1,000 students. (B) Such local educational agency operates a single school. (C) Such local educational agency serves all students within each grade span with a single school. (D) Such local educational agency demonstrates an exceptional or uncontrollable circumstance, such as unpredictable changes in student enrollment or a precipitous decline in the financial resources of such agency, as determined by the Secretary of Education.

o d) DEFINITIONS.—In this section:

1. ELEMENTARY EDUCATION; SECONDARY EDUCATION.—The terms “elementary education” and “secondary education” have the meaning given such terms under State law.¹²
2. HIGHEST POVERTY LOCAL EDUCATIONAL AGENCY.—The term “highest poverty local educational agency” means a local educational agency that is among the group of local educational agencies in the State that— (A) in rank order, have the highest percentages of economically disadvantaged students in the State, on the basis of the most recent satisfactory data available from the Department of Commerce (or, for local educational agencies for which no such data are available, such other data as the Secretary of Education determines are satisfactory); and (B) collectively serve not less than 20 percent of the State’s total enrollment of students served by all local educational agencies in the State.
3. HIGH-NEED LOCAL EDUCATIONAL AGENCY.— The term “high-need local educational agency” means a local educational agency that is among the group of local educational agencies in the State that— (A) in rank order, have the highest percentages of economically disadvantaged students in the State, on the basis of the most recent satisfactory data available from the Department of Commerce (or, for local educational agencies for which no such data are available, such other data as the Secretary of Education determines are satisfactory); and (B) collectively serve not less than 50 percent of the State’s total enrollment of students served by all local educational agencies in the State.

4. HIGH-POVERTY SCHOOL.— (A) IN GENERAL.—The term “high-poverty school” means, with respect to a school served by a local educational agency, a school that is in the highest quartile of schools served by such local educational agency based on the percentage of economically disadvantaged students served, as determined by the State in accordance with subparagraph (B). (B) DETERMINATION.—In making the determination under subparagraph (A), a State shall select a measure of poverty established for the purposes of this paragraph by the Secretary of Education and apply such measure consistently to all schools in the State.

5. OVERALL PER-PUPIL REDUCTION IN STATE FUNDS.—The term “overall per pupil reduction in State funds” means, with respect to a fiscal year— (A) the amount of any reduction in the total amount of State funds provided to all local educational agencies in the State in such fiscal year compared to the total amount of such funds provided to all local educational agencies in the State in the previous fiscal year; divided by (B) the aggregate number of children enrolled in all schools served by all local educational agencies in the State in the fiscal year for which the determination is being made.

6. STATE.—The term “State” means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

- An LEA that receives ESSER III-ARP funds under this grant is not required to provide equitable services to non-public schools. Non-public schools may be eligible to receive Emergency Assistance to Non-Public Schools (EANS).
- ESSER III-ARP funds are subject to subrecipient monitoring and audit requirements under the Single Audit Act.
- For employees that are only charged to ESSER grants and working on ESSER allowable activities, time and effort is not required. However, time and effort is required if employees charged to ESSER are also charged to other federal programs. This exception only applies to ESSER II and III grants.

- ESSER III-ARP funds must be tracked separately from ESSER I and ESSER II funds. Accounting guidance will be provided in the School District Accounting Manual.
- Lost revenue will not be allowed to be claimed for ESSER III-ARP funds.
- Specific uses of ESSER funds must comply with the Cost Principles in subpart E of 2 CFR Part 200 of the Uniform Guidance. This requires, among other things, that every grant expenditure be necessary and reasonable to carry out the performance of the award (2 CFR 200.403-200.404). Consistent with requirements in the Cost Principles, all expenditures must be properly documented (2 CFR 200.403(g)).
- DOE has authorized (i.e., provided prior written approval) that ESSER funds may be used for pre-award costs (2CFR 200.458) dating back to March 13, 2020, when the national emergency was declared.
- The Uniform Guidance at 2 CFR 200.407 requires LEAs to obtain prior written approval from OSPI for certain costs, such as the purchase of real property; equipment and other capital expenditures. Please see page 3 for more information, including the form to request prior approval for these types of expenditures.
- **REMINDER:** As a condition of payment of funds, LEAs must report expenditures both in the EDS claims system and in the OSPI ESSER III Expenditure Smartsheet tool on the OSPI website: [Novel Coronavirus \(COVID-19\) Guidance & Resources](#).

These are monthly requirements that must occur prior to each grant payment. Contact [Eileen Frimberger](#) if you have questions on this topic.

Assurances

INSTRUCTIONS: Please check each box after review of the assurance.

- With respect to the certification regarding lobbying in Department Form 80-0013, no Fed appropriated funds have been paid or will be paid to any person for influencing or attempt influence an officer or employee of any agency, a Member of Congress, an officer or emp

Congress, or an employee of a Member of Congress in connection with the making or renewal of Federal grants under this program.

- The LEA will comply with all applicable reporting requirements at such time and in such manner and containing such information as the Secretary may reasonably require, including on matters such as: overall plans and policies related to State support for return to in-person instruction and maximizing in-person instruction time, including how funds will support a return to and maximize in-person instruction time, and advance equity and inclusivity in participation in in-person instruction; data on each school's mode of instruction (remote, hybrid, in-person) and conditions; uses of funds to meet students' social, emotional, and academic needs, including through summer enrichment programming and other evidence-based interventions, and how they advance equity for underserved students; uses of funds to sustain and support access to early childhood education programs; impacts and outcomes (disaggregated by student subgroup) through use of ARP ESSER funding (e.g., quantitative and qualitative results of ARP ESSER funding, including on personnel, student learning, and budgeting at the school and district level); student data (disaggregated by student subgroup) related to how the COVID-19 pandemic has affected instruction and learning; and additional reporting requirements as may be necessary to ensure accountability and transparency of ARP ESSER funds.
- The LEA may be required to participate in Subrecipient Monitoring to ensure that funds are used for allowable purposes in accordance with cash management principles.
- Records pertaining to the ARP ESSER award under 2 C.F.R. § 200.334 and 34 C.F.R. § 76.730, including financial records related to use of grant funds, will be retained separately from other grant funds, including funds that an SEA or LEA receives under the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) and the Coronavirus Response and Relief Supplemental Appropriations Act, 2021 (CRRSA Act). The SEA will ensure that it and every subrecipient of ARP ESSER funds will cooperate with any examination of records with respect to such funds by making records available for inspection, production, and examination, and authorized individuals available for interview and examination, upon the request of (i) the Department and/or its Inspector General; or (ii) any other federal agency, commission, or department in the lawful exercise of its jurisdiction and authority.
- The LEA will comply with all applicable assurances in OMB Standard Forms 424B and D (Assurances for Non-Construction and Construction Programs), including the assurances relating to the legal authority to apply for assistance; access to records; conflict of interest; merit systems; nondiscrimination; Hatch Act provisions; labor standards; flood hazards; historic preservation; protection of human subjects; animal welfare; lead-based paint; Single Audit Act; and the general agreement to comply with all applicable Federal laws, executive orders and regulations.
- Any LEA receiving funding under this program will have on file with the SEA a set of assurances that meets the requirements of Section 442 of the General Education Provisions Act (GEPA) (20 U.S.C. 1232e). These assurances are included in the General Assurances agreed to in the iGrants Required Pages.
- To the extent applicable, an LEA will include a description of how the LEA will comply with the requirements of Section 427 of GEPA (20 U.S.C. 1228a). The description must include information on the steps the LEA proposes to take to permit students, teachers, and other program beneficiaries to overcome barriers (including barriers based on gender, race, color, national origin, disability, and age) that impede equal access to, or participation in, the program.

- LEAs, including Charter schools that are LEAs, must assure that they are using ARP ESSER funds for purposes that are reasonable, necessary, and allocable under the ARP.
- LEAs 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 (Nonprocurement) 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.

Checking this box indicates the LEA has read, understands and agrees with the assurances.

Authorized Representative Name:	Dan Poolman
Authorized Representative Title:	Assistant Superintendent
Date: (MM/DD/YY)	07/13/21

Allowable ESSER III Activities for LEAs	
80% of ESSER III Allocation for LEAs*:	\$
(*20% allocation is in the ESSER III iGrants form package 153)	
The LEA will use ESSER III funds for which of the following allowable activities? (Check all that apply) Include the estimated dollar amount for each category selected.	
<input type="checkbox"/>	Activities authorized by the Every Student Succeeds Act (ESSA) <i>Describe Use of Funds:</i>
<input type="checkbox"/>	Activities authorized by the Individuals with Disabilities Act (IDEA) <i>Describe Use of Funds:</i>
<input type="checkbox"/>	Activities authorized by the Adult Education and Family Literacy Act <i>Describe Use of Funds:</i>

<input type="checkbox"/>	<p>Activities authorized by the Carl D. Perkins Career and Technology Education Act of 2006</p> <p><i>Describe Use of Funds:</i></p>	
<input type="checkbox"/>	<p>Activities authorized by subtitle B of Title VII of the McKinney-Vento Homeless Assistance Act**</p> <p><i>Describe Use of Funds:</i></p>	
<input type="checkbox"/>	<p>Coordination of preparedness and response efforts of local educational agencies with State, local, Tribal, and territorial public health departments, and other relevant agencies, to improve coordinated responses among such entities to prevent, prepare for, and respond to coronavirus.</p> <p><i>Describe Use of Funds:</i></p>	
<input type="checkbox"/>	<p>Providing principals and others school leaders with the resources necessary to address the needs of their individual schools.**</p> <p><i>Describe Use of Funds:</i></p>	
<input type="checkbox"/>	<p>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.</p> <p><i>Describe Use of Funds:</i></p>	
<input type="checkbox"/>	<p>Developing and implementing procedures and systems to improve the preparedness and response efforts of local educational agencies.</p> <p><i>Describe Use of Funds:</i></p>	
<input type="checkbox"/>	<p>Training and professional development for staff of the local educational agency on sanitation and minimizing the spread of infectious diseases.</p> <p><i>Describe Use of Funds:</i></p>	
<input type="checkbox"/>	<p>Purchasing supplies to sanitize and clean the facilities of a local educational agency, including buildings operated by such agency.</p> <p><i>Describe Use of Funds:</i></p>	

<input type="checkbox"/>	<p>Planning for and coordinating during long-term closures, including how to provide meals to eligible students, how to provide technology for online learning to all students, how to provide guidance for carrying out requirements under the Individuals with Disabilities Education Act (20 U.S.C. 1401 et seq.) and how to ensure other educational services can continue to be provided consistent with all Federal, State, and local requirements.</p> <p><i>Describe Use of Funds:</i></p>	
<input checked="" type="checkbox"/>	<p>Purchasing educational technology (including hardware, software, and connectivity) for students who are served by the local educational agency that aids in regular and substantive educational interaction between students and their classroom instructors, including low-income students and students with disabilities, which may include assistive technology or adaptive equipment.</p> <p><i>Describe Use of Funds:</i> Additional computers and classroom equipment</p>	<p>\$220,038</p>
<input type="checkbox"/>	<p>Providing mental health services and supports, including through the implementation of evidence-based full-service community schools.****</p> <p><i>Describe Use of Funds:</i></p>	
<input type="checkbox"/>	<p>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.</p> <p><i>Describe Use of Funds:</i></p>	
<input checked="" type="checkbox"/>	<p>Addressing the academic impact of lost instructional time among an LEA's students, including low-income students, students with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and children and youth in foster care, including by:</p> <ul style="list-style-type: none"> a. Administering and using high-quality assessments that are valid and reliable to accurately assess students' academic progress and assist educators in meeting students' academic needs, including through differentiating instruction. b. Implementing evidence-based activities to meet the comprehensive needs of students. 	<p>\$634,200</p>

	<p>c. Providing information and assistance to parents and families on how they can effectively support students, including in a distance learning environment.</p> <p>d. Tracking student attendance and improving student engagement in distance education.</p> <p><i>Describe Use of Funds:</i> Increased educational staff to address academic impact of lost instructional time to reduce class sizes to allow for more differentiated instruction. Addition of staffing to improve engagement in distance learning opportunities.</p>	
<input type="checkbox"/>	<p>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.</p> <p><i>Describe Use of Funds:</i></p>	
<input checked="" type="checkbox"/>	<p>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.</p> <p><i>Describe Use of Funds:</i> Room sized air purifiers</p>	\$25,000
<input type="checkbox"/>	<p>Developing strategies and implementing public health protocols including, to the greatest extent practicable, policies in line with guidance from the CDC for the reopening and operation of school facilities to effectively maintain the health and safety of students, educators, and other staff.**</p> <p><i>Describe Use of Funds:</i></p>	
<input type="checkbox"/>	<p>Other activities that are necessary to maintain the operation of and continuity of services in local educational agencies and continuing to employ existing staff of the local educational agency (for example, child care and nutrition services).</p> <p><i>Describe Use of Funds:</i></p>	
<input checked="" type="checkbox"/>	Indirect Costs.	\$177,342
TOTAL		\$1,056,580

** These activities are not explicitly listed in the ARP Act but are still an allowable use of AI funds.

*** This activity is only listed in the ARP Act but is an allowable use of ESSER I and ESSER II funds.

****The ARP Act defines a full-service community school as it is defined in section 4622 of the ESEA: 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 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. The reference to full-service community schools in relation to the allowable activity of "providing mental health services and supports" is only listed in the ARP Act but this is included as an allowable use of ESSER I and ESSER II funds.

REMINDER: As a condition of payment of funds, LEAs must report expenditures both in the EDS claims system and in the OSPI ESSER III Expenditure Smartsheet tool on the OSPI website: [Novel Coronavirus \(COVID-19\) Guidance & Resources](#). These are monthly requirements that must occur prior to each grant payment. Contact [Eileen Frimberger](#) if you have questions on this requirement.