

**ARP-ESSER Application: Part 2 - ARP Act**

Introduction/Instructions - Summary & Background

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**Summary & Background**

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**ARP-ESSER Application: Part 2 - ARP Act**Introduction/Instructions - Summary & Background

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**SUMMARY & BACKGROUND**

On March 11, 2021, the President signed into law the American Rescue Plan Act of 2021 (ARP). ARP makes available \$122.8 billion nationally in a third round of Elementary and Secondary School Emergency Relief (ESSER) funds. New York State has been allocated nearly \$9 billion under the ARP Act's Elementary and Secondary School Emergency Relief (ESSER) Fund. The ARP Act requires that a minimum of \$8.09 billion (90 percent) be allocated to LEAs, including charter schools and Special Act School Districts that are LEAs. Pursuant to the terms of the ARP Act, LEA allocations have been calculated using the relative shares of grants awarded under Title I, Part A of the ESEA for the most recent federal fiscal year (2020). Each eligible LEA's ARP-ESSER allocation may be found [HERE](#).

Under section 2001(d)(2) of ARP Act of 2021, each State Educational Agency (SEA) must make ARP-ESSER allocations to LEAs in an expedited and timely manner and, to the extent practicable, not later than 60 days after the SEA receives its ARP-ESSER funds. The first portion of ARP-ESSER Funds was awarded to states on March 24, 2021, and 60 days from that day is May 24, 2021. The U.S. Department of Education (USDE) has taken the position that an SEA makes allocations when it authorizes the LEA to begin to obligate funds in accordance with its needs. To enable New York State's LEAs to begin to obligate ARP-ESSER funds by USDE's May 24, 2021 deadline, the application for LEA 90% base ARP-ESSER allocations is being administered by NYSED as a two-part application process:

- ARP-ESSER Application – Part 1: The first step was for each LEA to submit signed assurances to NYSED by May 24, 2021. Upon receipt of signed LEA assurances, NYSED provided an email notice to the LEA of substantially approvable application status. Upon receipt of such notice, LEAs were able to begin obligating their allocation of 90% base ARP-ESSER funds.
- ARP-ESSER Application – Part 2: The second step will be the submission of a full application and budget by the LEA. NYSED will issue a Grant Award Notice (GAN) to the LEA after the LEA's application is fully reviewed and approved by NYSED. Part 2 will address several of the plan-related assurances an LEA must provide in Part 1 of the application process.

The ARP Act requires LEAs to reserve at least 20% of their 90% ARP-ESSER allocation to address learning loss through the implementation of evidence-based interventions, such as summer learning or summer enrichment, extended day, comprehensive afterschool programs, or extended school year programs, and ensure that such interventions respond to students' academic, social, and emotional needs and address the disproportionate impact of the coronavirus on economically disadvantaged students, children with disabilities, English learners, racial and ethnic minorities, migrant students, students experiencing homelessness, and children and youth in foster care. For your information, the minimum 20% reservation for each LEA may be found [HERE](#).

Project Period

March 13, 2020 to September 30, 2024 to obligate funds. Funds must be fully liquidated by October 31, 2024.

Project Number

The project number stem for the program is:

*ESSER: 5880 - 21 - XXXX*

This number should be used on the appropriate FS-10 budget form.

Submission Deadline

Completed applications are due by **August 31, 2021** (with extensions by request), and will be reviewed on a rolling basis.

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Please note that applications must be submitted and fully approved by no later than March 23, 2022. LEAs that have not been issued a Grant Award Notice by that time will be at risk of having their ARP-ESSER allocation returned to the United States Department of Education.

APPLICATION PROCESS FOR LEA ALLOCATIONS OF ARP-ESSER SEA RESERVE FUNDS

The federal ARP statute requires SEAs to reserve:

- not less than 5 percent of the total amount of grant funds awarded to the State (\$449.4 million) to carry out activities to address the impact of lost instructional time by supporting the implementation of evidence-based interventions;
- not less than 1 percent (\$89.9 million) to carry out the implementation of evidence-based summer enrichment programs; and
- not less than 1 percent (\$89.9 million) to carry out the implementation of evidence-based comprehensive afterschool programs.

The 2021-22 enacted state budget directs that these required SEA set-asides be allocated as grants to specified school districts. Each eligible district's allocation of SEA reserve funds may be found [HERE](#). NYSED will inform school districts under separate cover when the application process for school district allocations of ARP-ESSER SEA set-aside funds has been published in the [SED Monitoring and Vendor Reporting System](#). This application is only for LEA 90% base ARP-ESSER allocations. LEAs should not apply for ARP ESSER SEA Reserve funds as part of this application.

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Introduction/Instructions - Submission Instructions

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**Submission Instructions**

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Directions for Submitting the Application:

- The online application may only be submitted/certified by the chief school officer of the applicant LEA. The designated superintendent (public school LEAs), and the chief executive officer, board of trustees president, or school employee designated by the board of trustees (charter school LEAs) are the only administrators with the submit/certify rights necessary to successfully submit and certify a completed application for NYSED review.

- LEAs ARE NOT REQUIRED to send hard copies of general application materials to the Department.

- LEAs ARE REQUIRED to send signed originals and two hard copies of each FS-10 Budget Form to:

*Office of ESSA-Funded Programs - Rm 320 EB*

*RE: ARP-ESSER Application – Part 2*

*New York State Education Department*

*89 Washington Avenue*

*Albany, NY 12234.*

Deadline for Submitting the Applications:

- The ARP-ESSER Application – Part 2 is due by August 31, 2021.

**ARP-ESSER Application: Part 2 - ARP Act**

LEA ARP-ESSER Plan - ARP-ESSER Intent to Apply

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**ARP-ESSER LEA Base 90% Allocation - Intent to Apply**

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1. **Does the LEA intend to apply for American Rescue Plan (ARP) Act - Elementary and Secondary School Emergency Relief (ESSER) LEA Base 90% funding?**

Yes, the LEA intends to apply for Elementary and Secondary School Emergency Relief (ESSER) funding.

2. **Please provide contact information for the LEA Business Official and Board President. Please confirm that each individual has reviewed and approved of the application, including all plan descriptions and use of funds.**

	Name	Email Address	Date of Final Review/ Approval
LEA Business Official	Dr. Donald Gottlieb	dgottlieb@onteorak12.ny.us	9/17/21
LEA Board President	Kevin Salem	ksalem@onteorak12.ny.us	9/17/21

**ARP-ESSER Allocation - Construction-Related Costs**

3. **Does the LEA intend to use American Rescue Plan (ARP) Act - Elementary and Secondary School Emergency Relief (ESSER) LEA Base 90% funding for construction-related expenditures?**

Yes, the LEA does intend to use American Rescue Plan (ARP) Act - Elementary and Secondary School Emergency Relief (ESSER) funding for construction-related expenditures.

**ARP-ESSER Application: Part 2 - ARP Act**LEA ARP-ESSER Plan - ARP-ESSER Plan Development & Program Information

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**ARP-ESSER LEA Base 90% Allocation - Plan Development and Dissemination**

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Title VIII of Division B of the CARES Act directs the Department to carry out the Education Stabilization Fund, of which the ARP ESSER funds are a part. Section 2001 of the ARP Act provides for the Department to make grants to each SEA from the ARP ESSER funds. An SEA must allocate at least 90 percent of its ARP ESSER grant funds to its LEAs (including charter schools that are LEAs) in the State in the same proportion that the LEAs received under part A of title I of the ESEA in Fiscal Year 2020, as required by section 2001(d)(1) of the ARP Act; and section 2001(e) of the ARP Act prescribes certain mandatory and permissive uses of LEAs' funds. Under 20 U.S.C. 1221e-3, the Secretary has the authority to promulgate rules governing the programs administered by the Department. Under this requirement, each LEA that receives ARP ESSER funds must develop, submit to the SEA on a reasonable timeline determined by the SEA, and make publicly available on the LEA's website, a plan for the LEA's use of ARP ESSER funds. The plan - known as the LEA ARP ESSER Plan - and any revisions to the plan submitted consistent with procedures established by the SEA, must include a description of key activities which are required below.

NYSED will consider each LEA's application for its base 90% ARP-ESSER allocation as meeting the USDE LEA ARP-ESSER use of funds plan requirement, provided the required elements of the plan are fully addressed in the LEA's application, combined with a budget, and then publicly posted after being developed with public input.

An LEA must engage in meaningful consultation with stakeholders and give the public an opportunity to provide input in the development of its plan. Specifically, an LEA must engage in meaningful consultation with students; families; school and district administrators (including special education administrators); and teachers, principals, school leaders, other educators, school staff, and their unions. Additionally, an LEA must engage in meaningful consultation with each of the following, to the extent present in or served by the LEA: 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.

Each LEA's ARP ESSER plan must be in an understandable and uniform format and, to the extent practicable, written in a language that parents can understand (or, if not practicable, orally translated). Upon request by a parent with a disability, LEA plans must be provided in an alternative format accessible to the parent.

**1. In the space provided below, please describe how the LEA meaningfully engaged a diverse and representative set of the applicable stakeholders in developing a plan to use these funds and implementing that plan.**

The District surveyed all stakeholders in June 2021 to identify their priorities and needs to address the impact of the pandemic and how the District needed to move forward. The results of these surveys were shared in District wide PTA meetings, building level meetings with building level leadership teams and the Board of Education. The responses to this have crafted how the District is using these funds.

The stakeholders that were surveyed included parents, students, teachers staff and administrators. The results of the survey and how the funding was allocated has been posted on the District website (see <https://www.onteorak12.ny.us/about/2021-2022-school-year>.) A bi-monthly presentation of how these funds are "spent down" is presented at both building level and District Level meetings by the Interim Asst. Supt for Business.

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LEA ARP-ESSER Plan - ARP-ESSER Plan Development & Program Information

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2. **In the space provided below, please provide the URL for the website(s) where the LEA ARP-ESSER Plan is/will be publicly posted. For an LEA that does not have a website, the LEA may identify an online platform (e.g. social media group or post, file sharing service, email listserv) that allows plans to be directly communicated to students, parents or legal guardians, school staff, and other stakeholders. As appropriate, the LEA should provide details about how the plan will be made available to people who request it.**

The District's URL is:

<https://www.onteorak12.ny.us/fs/resource-manager/view/8ee17b73-25e7-4f5e-bed4-8441643a1b02>

<https://www.onteorak12.ny.us/fs/resource-manager/view/8ee17b73-25e7-4f5e-bed4-8441643a1b02>

If a community member requests a copy, the District will provide a copy, whether via email or paper copy.

**ARP-ESSER LEA Base 90% Allocation - Program Information**

3. **In the space provided below, please describe 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.**

To address the the learning loss created by the pandemic, the District will be revising and creating extended curriculum opportunities. Given the CDC guidance in ventilation the District has allocated funding to upgrade the district's ventilation systems which is a mitigating strategy needed for safe return to in-person learning for all students and staff.

The District will be purchasing Air purifiers for classrooms throughout the District.

The District is hiring a Nurse that will 'float' throughout the District to assist the other Nurses with COVID-related concerns.

4. **In the space provided below, please describe the data that the LEA will use to identify student needs and monitor student progress as a result of planned interventions and supports.**

The data that will be used to monitor student progress is common quarterly assessments which will be reviewed by teacher teams to ensure mastery of skills and to identify interventions needed to bring students to mastery.

Through the analysis of common interim quarterly assessments, teachers will identify which students need additional interventions/ supports in order to reach mastery in specifically identified learning standards/ skills. These additional interventions will be customized to each student's learning needs. Additional support will be provided during learning labs and academic reinforcement periods.

5. **In the space provided below, please describe how the LEA will use the funds it reserves under section 2001(e)(1) - the required reserve of 20% of funds - 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.**

The District, through a series of created pre-assessments, has identified the key learning standards - skills that constitute the learning gap created through the pandemic. Teacher teams are in the process of creating curriculum and instruction models that consist of evidenced based interventions and these will be implemented in extended learning opportunities throughout the school year.

Once the teacher teams create a revised curriculum with instruction models, evidenced based strategies will be used to target the major learning standards in each course/ grade level. These evidenced based strategies will be used during the extended learning time of the academic reinforcement period as well as during the learning lab period.

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6. **In the space provided below, please describe how the LEA will spend its remaining ARP ESSER funds consistent with section 2001(e)(2) - the allowable uses of funds - of the ARP Act.**

The District will be upgrading its HVAC system and two of its elementary schools to align with CDC recommended guidelines for ventilation. Additionally the District will be acquiring generators for several of its buildings to ensure no disruption in service. Finally, there will be classrooms renovated and asbestos abatement to create new active learning spaces. All of it will be overseen by a Project Manager to assure timely, efficient completion of the project.

All required State approvals for these projects will be attained as required by State law.

7. **In the space provided below, please describe how the LEA will ensure that the interventions it implements, including but not limited to the interventions implemented under section 2001(e)(1) - the required reserve of 20% of funds - to address the academic impact of lost instructional time, 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.**

The District, on a quarterly basis, will review student progress in closing the achievement gap as evidenced by student gap. In addition students will be surveyed three times throughout the school year to determine social-emotional and mental health needs.

The quarterly review of student progress will include an analysis of skills by the following sub-group - economically disadvantaged, students with disabilities, homeless, and MLL. These are the relevant sub-groups in the district. Once analyzed, the District will target each sub-group utilizing best practices and successful evidenced based interventions for each group. In surveying students three times throughout the year, the survey results will be disaggregated by subgroup to further identify issues that additional support can be provided to not only the students but their families through parent support initiatives.

**ARP-ESSER Application: Part 2 - ARP Act****LEA ARP-ESSER Plan - ARP-ESSER Return to In-Person Instruction**

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**ARP-ESSER Return to In-Person Instruction**

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Section 2001(i)(1) of the ARP Act requires each LEA that receives ARP ESSER funds to develop and make publicly available on the LEA's website, not later than 30 days after receiving ARP ESSER funds, a plan for the safe return to in-person instruction and continuity of services for all schools, including those that have already returned to in-person instruction. Section 2001(i)(2) of the ARP Act further requires that the LEA seek public comment on the plan and take those comments into account in the development of the plan. Finally, section 2001(i)(3) of the ARP Act states that an LEA that developed a plan for the safe return to in-person instruction and continuity of services prior to the date of enactment of the ARP Act will be deemed to have met the requirement to develop a plan under section 2001(i)(1) as long as the plan meets the statutory requirements (i.e., is publicly available on the LEA's website and was developed after the LEA sought and took into account public comment).

The LEA's plan must include how it will maintain the health and safety of students, educators, and other school and LEA staff and a description of any policies it has adopted regarding each of the CDC's safety recommendations, including 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 the health departments of Native American Nations; diagnostic and screening testing; efforts to provide vaccinations to school communities; appropriate accommodations for children with disabilities with respect to health and safety policies; and coordination with State and local health officials.

The plan must describe how the LEA will ensure continuity of services, including but not limited to services to address students' academic needs and the social, emotional, mental health and other needs of students and staff, which may include student health and food services.

LEA plans must be in an understandable and uniform format and, to the extent practicable, written in a language that parents can understand (or, if not practicable, orally translated). Upon request by a parent with a disability, LEA plans must be provided in an alternative format accessible to the parent.

**NYSED will permit previously developed LEA re-opening plans to satisfy the ARP statutory requirement for the safe return to in-person instruction and continuity of services. LEAs must make any necessary updates to existing plans to conform with the USDE requirements within 30 days of receipt of ARP-ESSER funds and to review (and revise if appropriate) plans every six months thereafter (until September 30, 2023).**

- 1. In the space provided below, please provide the URL for the website(s) where the district's most current re-opening/return to in-person learning plan is/will be located. For an LEA that does not have a website, the LEA may identify an online platform (e.g. social media group or post, file sharing service, email listserv) that allows plans to be directly communicated to students, parents or legal guardians, school staff, and other stakeholders. As appropriate, the LEA should provide details about how the plan will be made available to people who request it.**

If a community member requests a copy, the District will provide a copy, whether via email or paper copy.

[http://resources.finalsite.net/images/v1633625965/onteorak12nyus/wpdelt3vwemlnanzojo/FullReopeningPlan-Final\\_3.pdf](http://resources.finalsite.net/images/v1633625965/onteorak12nyus/wpdelt3vwemlnanzojo/FullReopeningPlan-Final_3.pdf)

**ARP-ESSER Application: Part 2 - ARP Act**LEA ARP-ESSER Plan - ARP-ESSER Return to In-Person Instruction

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2. **An LEA must periodically, but no less frequently than every six months (through September 30, 2023), review and, as appropriate, revise its plan. Consistent with section 2001(i)(2) of the ARP Act, which requires an LEA to seek public comment on the development of its plan, an LEA must seek public input and take such input into account in determining whether to revise its plan and, if it determines revisions are necessary, on the revisions it makes to its plan, i.e., the LEA must seek public input on whether to revise its plan and on any revisions to its plan no less frequently than every six months (taking into consideration the timing of significant changes to CDC guidance on reopening schools). If the LEA revises its plan, the revised plan must address each of the aspects of safety currently recommended by the CDC or, if the CDC has updated its safety recommendations at the time the LEA is revising its plan, each of the updated safety recommendations.**

**In the space provided below, please describe how the LEA will review and regularly update (at least every six months through September 30, 2023) it's plan for in-person instruction, including a description of how public comment will be collected.**

On a quarterly basis the LEA will utilize its' District level shared decision making team to review its plan for any needed revisions. Additional on a bi-monthly basis the District holds virtual Community forums which is open to the public to review the plan to elicit comments and revise as needed.

**ARP-ESSER Application: Part 2 - ARP Act**

LEA ARP-ESSER Plan - ARP-ESSER Funding Distribution

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**ARP-ESSER LEA Base 90% Allocation - Funding Distribution**

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**Please note: LEAs that have been allocated funds from the mandated SEA-Level Reserves in the 2021-22 enacted state budget will apply for those funds via a separate application process. NYSED will inform school districts under separate cover when the application process for school district allocations of ARP-ESSER SEA set-aside funds has been published in the [SED Monitoring and Vendor Reporting System](#). The sections below are only for LEA 90% base ARP-ESSER allocations. LEAs should not apply for ARP ESSER SEA Reserve funds as part of this application.**

- Please complete the following to indicate the LEA's American Rescue Plan (ARP) Act LEA Base 90% allocation for Elementary and Secondary School Emergency Relief (ESSER) funds, as well as its *most current enrollment* figures.**

	Amount (\$ or #)
ARP-ESSER Fund Allocation (\$)	4,892,190
Total Number of K-12 Resident Students Enrolled (#)	1,175
Total Number of Students from Low-Income Families (#)	613

**ARP-ESSER Schools Served**

- Please complete the following chart by indicating the number of PUBLIC SCHOOLS in the LEA being served by ARP-ESSER LEA Base 90% Funding.**

	Number (#)
Total Number of Schools in the LEA	5
Number of Schools Served by ARP-ESSER LEA Base 90% Funding	5

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LEA ARP-ESSER Plan - ARP-ESSER Use of Funds

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**ARP-ESSER LEA Base 90% Allocation - Use of Funds**

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**Please note: LEAs that have been allocated funds from the mandated SEA-Level Reserves in the 2021-22 enacted state budget will apply for those funds via a separate application process. NYSED will inform school districts under separate cover when the application process for school district allocations of ARP-ESSER SEA set-aside funds has been published in the SED Monitoring and Vendor Reporting System. The sections below are only for LEA 90% base ARP-ESSER allocations. LEAs should not apply for ARP ESSER SEA Reserve funds as part of this application.**

- Please complete the chart below by identifying the funds being used to support each allowable activity. Please respond with "0" to indicate that no funds are being assigned to a given activity.**

**PLEASE NOTE - All proposed expenditures must be reflected within the FS-10 budget form AND budget narrative to clearly align with this item.**

	FUNDING Amounts (\$)
1 - Any activity authorized by the ESEA, including the Native Hawaiian Education Act and the Alaska Native Educational Equity, Support, and Assistance Act (20 U.S.C. 6301 et seq.).	0
2 - Any activity authorized by the Individuals with Disabilities Education Act (IDEA) (20 U.S.C. 1400 et seq.).	0
3 - Any activity authorized by the Adult Education and Family Literacy Act (AEFLA) (29 U.S.C. 3271 et seq.).	0
4 - Any activity authorized by the Carl D. Perkins Career and Technical Education Act of 2006 (Perkins V) (20 U.S.C. 2301 et seq.).	0
5 - Any activity authorized by subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (McKinney-Vento) (42 U.S.C. 11431 et seq.).	0
6 - Coordinating preparedness and response efforts of LEAs 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 COVID-19.	0
7 - Providing principals and other school leaders with the resources necessary to address the needs of their individual schools.	0
8 - Activities to address the unique needs of low-income children or students, students with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and children and youth in foster care, including how outreach and service delivery will meet the needs of each population.	0
9 - Developing and implementing procedures and systems to improve the preparedness and response efforts of LEAs.	0
10 - Training and professional development for staff of the LEA on sanitation and minimizing the spread of infectious diseases.	0
11 - Purchasing supplies to sanitize and clean the facilities of the LEA, including buildings operated by such LEA.	0
12 - Planning for, coordinating, and implementing activities during long-term closures, including providing meals to eligible students, providing technology for online learning to all students, providing guidance for carrying out requirements under the IDEA and ensuring other education services can continue to be provided consistent with all Federal, State, and local requirements.	0
13 - Purchasing educational technology (including hardware, software, and connectivity) for students who are served by the LEA 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.	0
14 - Providing mental health services and supports, including through the implementation of evidence based full-service community schools.	0
15 - Planning and implementing activities related to summer learning and enrichment and supplemental after-school 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	0

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LEA ARP-ESSER Plan - ARP-ESSER Use of Funds

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	FUNDING Amounts (\$)
students, students experiencing homelessness, and children and youth in foster care.	
16 - 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) by: 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; c) Providing information and assistance to parents and families on how they can effectively support students, including in a distance learning environment; and d) Tracking student attendance and improving student engagement in distance education.	886,500
17 - 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.	640,000
18 - 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.	3,365,690
19 - 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.	0
20 - Other activities that are necessary to maintain the operation of and continuity of services in the LEA and continuing to employ existing staff of the LEA.	0
<b>Totals:</b>	<b>4,892,190</b>

**ARP-ESSER Application: Part 2 - ARP Act**

LEA ARP-ESSER Plan - ARP-ESSER Construction-Related Costs

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**ARP-ESSER LEA Base 90% Allocation - Construction-Related Costs**

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**PLEASE NOTE:**

The Office of Facilities Planning, in collaboration with NYSED’s Chief Financial Officer and the Office of ESSA-Funded Programs, is developing guidance regarding capital construction projects based on the United States Department of Education (USDE) recently issued FAQs for this federal program. The Use of Funds FAQ (released May 26, 2021) may be of particular interest, since it discusses construction and combination of funds. Links to the federal program website are below:

- <https://oese.ed.gov/offices/american-rescue-plan/american-rescue-plan-elementary-and-secondary-school-emergency-relief/>
- ESSER.GEER\_FAQs\_5.26.21\_745AM\_FINALb0cd6833f6f46e03ba2d97d30aff953260028045f9ef3b18ea602db4b32b1d99

Local Educational Agencies (LEAs) which intend to do federally funded work using ARP-ESSER funds must first file FS-10s and other documents as required by the Office of ESSA-Funded Programs. If a project would normally require a building permit if supported by state/local funds, it must also have a building permit if supported by federal funds (or a combination of funding streams). Facilities Planning forms are under development at this time.

**1. What is the amount of funds that the LEA plans to use for construction related projects?**

3,913,690

**2. In the space provided below, please described the planned construction activities and costs.**

The District will be upgrading it's HVAC system and two of its elementary schools to align with CDC recommended guidelines for ventilation. Additionally the District will be acquiring generators for its' buildings to ensure no disruption in service. Finally, there will be classrooms renovated and asbestos abatement to create new active learning spaces. All of it will be overseen by a project manager to assure timely, efficient completion of the project.  
All required State approvals for these projects will be attained as required by State law.

**3. Will the planned construction impact and/or effect any district, site, building, structure, or object that is: Included in the National Register of Historic Places; or Eligible under criteria established by the Secretary of Interior for inclusion in the National Register of Historic Places?**

No, the planned construction will not impact and/or effect any district, site, building, structure, or object that is: Included in the National Register of Historic Places; or Eligible under criteria established by the Secretary of Interior for inclusion in the National Register of Historic Places.

**ARP-ESSER - Construction-Related ASSURANCES**

**4. The LEA assures it will have or obtain a full title or other interest in the site, including right of access, that is sufficient to insure the grantee's undisturbed use and possession of the facilities for 50 years or the useful life of the facilities, whichever is longer. § 75.603 (Authority: 20 U.S.C. 1221e-3 and 3474)**

YES, the LEA provides the above assurance.

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5. **The LEA assures it will ensure that sufficient funds are available to meet any non-Federal share of the cost of constructing the facility. § 75.604**  
 YES, the LEA provides the above assurance.
6. **The LEA assures work will begin on construction within a reasonable time after the grant for the construction is made. § 75.605 (Authority: 20 U.S.C. 1221e-3 and 3474)**  
 YES, the LEA provides the above assurance.
7. **The LEA assures the construction will be completed within a reasonable time and the LEA shall complete the construction in accordance with the application and approved drawings and specifications. § 75.606**  
 YES, the LEA provides the above assurance.
8. **The LEA assures that the construction is functional; economical; and not elaborate in design or extravagant in the use of materials, compared with facilities of a similar type constructed in the State or other applicable geographic area. § 75.607. Further, the LEA assures that it shall, in developing plans for the facilities, consider excellence of architecture and design and inclusion of works of art. The grantee may not spend more than one percent of the cost of the project on inclusion of works of art. § 75.607 Authority: 20 U.S.C. 1221e-3 and 3474)**  
 YES, the LEA provides the above assurance.
9. **In planning for and designing facilities, the LEA assures it shall observe the standards under the Occupational Safety and Health Act of 1970 (Pub. L. 91-576) (See 36 CFR part 1910); and State and local codes, to the extent that they are more stringent. § 75.609 Further, the LEA assures it will submit an application for a Building Permit to NYSED Office of Facilities Planning for review and approval prior to construction.**  
 YES, the LEA provides the above assurance.
10. **The LEA assures that it shall comply with the Federal regulations on access by the handicapped that apply to construction and alteration of facilities. These regulations are:**  
  - For residential facilities - 24 CFR part 40; and
  - For non-residential facilities - 41 CFR subpart 101-19.6. § 75.610 YES, the LEA provides the above assurance.
11. **The LEA assures that, in planning the construction, the LEA shall, in accordance with the provisions of Executive Order 11988 of February 10, 1978 (43 FR 6030) and rules and regulations that may be issued by the Secretary to carry out those provisions: Evaluate flood hazards in connection with the construction; and as far as practicable, avoid uneconomic, hazardous, or unnecessary use of flood plains in connection with the construction. § 75.611**  
 YES, the LEA provides the above assurance.
12. **The LEA assures that it shall maintain competent architectural engineering supervision and inspection at the construction site to insure that the work conforms to the approved drawings and specifications. § 75.612**  
 YES, the LEA provides the above assurance.

**ARP-ESSER Application: Part 2 - ARP Act**

LEA ARP-ESSER Plan - ARP-ESSER Construction-Related Costs

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13. **The LEA assures that it will comply with the regulations on relocation assistance and real property acquisition in 34 CFR part 15. § 75.613**

YES, the LEA provides the above assurance.

14. **The LEA assures that, when construction is completed, sufficient funds will be available for effective operation and maintenance of the facilities. § 75.614**

YES, the LEA provides the above assurance.

15. **The LEA assures that it shall operate and maintain the facilities in accordance with applicable Federal, State, and local requirements. § 75.615**

YES, the LEA provides the above assurance.

16. **The LEA assures that, to the extent feasible, it shall design and construct facilities to maximize the efficient use of energy. § 75.616 Further, the LEA shall comply with ASHRAE standards in designing and constructing facilities built with project funds. § 75.616 The following standards of the American Society of Heating, Refrigerating, and Air Conditioning Engineers (ASHRAE) are incorporated by reference in this section:**

- ASHRAE-90 A-1980 (Sections 1-9).
- ASHRAE-90 B-1975 (Sections 10-11).
- ASHRAE-90 C-1977 (Section 12)

Incorporation by reference of these provisions has been approved by the Director of the Office of the Federal Register pursuant to the Director's authority under 5 U.S.C. 552 (a) and 1 CFR part 51. The incorporated document is on file at the Department of Education, Grants and Contracts Service, rm. 3636 ROB-3, 400 Maryland Avenue, SW., Washington, DC 20202-4700 or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to:

[http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html). These standards may be obtained from the publication sales department at the American Society of Heating, Refrigerating, and Air Conditioning Engineers, Inc., 1791 Tullie Circle, NE., Atlanta, Georgia 30329. § 75.616

YES, the LEA provides the above assurance.

**ARP-ESSER Application: Part 2 - ARP Act**

LEA ARP-ESSER Plan - ARP-ESSER Allocation - Budget

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**ARP-ESSER LEA Base 90% Allocation - Budget**

PLEASE NOTE - the FS-10 and Budget Narrative are used to provide NYSED with a specific itemization of proposed project expenditures and to provide NYSED and the Office of the State Comptroller with the necessary documentation upon which payments can be based. FS-10s with missing quantities or unit costs, or with terms such "*TBD*" or "*Varies*" cannot be accepted on the FS-10 or Budget Narrative forms.

**Please note: LEAs that have been allocated funds from the mandated SEA-Level Reserves in the 2021-22 enacted state budget will apply for those funds via a separate application process. NYSED will inform school districts under separate cover when the application process for school district allocations of ARP-ESSER SEA set-aside funds has been published in the SED Monitoring and Vendor Reporting System. The sections below are only for LEA 90% base ARP-ESSER allocations. LEAs should not apply for ARP ESSER SEA Reserve funds as part of this application.**

- Please upload a completed and signed copy of the *FS-10 Budget* for the ARP-ESSER LEA Base 90% Funds.**

APR ESSER Revised.pdf

- Please upload a completed copy of the *Budget Narrative* for the ARP-ESSER LEA Base 90% Funds.**

Budget\_Narrative -APR ESSER Part 2 REVISED.docx

- Please complete the following table by providing total proposed expenditures by budget code for funding in relation to the ARP-ESSER Application – Part 2. This information should match the Budget Summary page of the FS-10 budget form.

	Total Funds (\$)
15 - Professional Salaries	865,000
16 - Support Staff Salaries	0
40 - Purchased Services	3,387,190
45 - Supplies and Materials	0
46 - Travel Expenses	0
80 - Employee Benefits	0
90 - Indirect Cost	0
49 - BOCES Services	0
30 - Minor Remodeling	0
20 - Equipment	640,000
<b>Totals:</b>	<b>4,892,190</b>