

AMERICAN RESCUE PLAN ACT-ELEMENTARY AND SECONDARY SCHOOL EMERGENCY RELIEF (ARP-ESSER) AGREEMENT

This agreement (“Agreement”) is made by and between the Commonwealth of Pennsylvania (“Commonwealth”), through its Pennsylvania Department of Education (“Department”), and Whitehall-Coplay SD located at 2940 MacArthur Rd, Whitehall, PA 18052, (“Grantee”).

The Department, created by Section 201 of the Administrative Code of 1929, as amended, 71 P.S. § 61, is the State Education Agency responsible for administration of grant programs pursuant to the General Appropriation Acts and the Public School Code of 1949, as amended, 24 P.S. § 1-101 et seq. and has been awarded funds by the US Department of Education for American Rescue Plan Act - Elementary and Secondary Emergency Relief (ARP-ESSER) programs under the American Rescue Plan (ARP) Act of 2021, Public Law 117-2.

The parties, intending to be legally bound, agree as follows:

1. Pursuant to this Agreement, Grantee will receive funds in the amount of \$7,184,831.00. The grant shall be used to defray program costs incurred from March 13, 2020 to September 30, 2024.
2. The Agreement shall become effective on the date it is fully executed by all required parties and shall terminate on September 30, 2024, unless terminated earlier in accordance with the terms hereof.
3. Grantee shall furnish all qualified personnel, facilities, materials and other services and in consultation with the Department, provide the services described in Appendix B.
4. This Agreement is comprised of the following Appendices which are hereby incorporated by reference into this Agreement:

Appendix A – Special Program Terms

Appendix B – Grantee’s Program Narrative and Budget

Appendix C – Payment Terms, Responsibilities and Contact Information

5. Grantee acknowledges having reviewed a copy of the Department’s Master Standard Terms and Conditions, which are available at www.education.pa.gov/mstc and are incorporated by reference into and made a part of this Agreement as if fully set forth herein.

The parties, intending to be legally bound, have signed this Agreement below:

FOR THE GRANTEE

Signature: Robert Steckel, Jr - Electronic Signature Date: 9/22/2021

Title: Superintendent

Signature: _____ Date: _____

Title: _____

FOR THE COMMONWEALTH

For the Secretary of Education: Susan McCrone - Electronic Signature Date: 10/14/2021
 Title: Division Chief

APPROVED AS TO FORM AND LEGALITY

Office of Chief Counsel: Patrick Lord - Electronic Signature Date: 11/23/2021
 Department of Education
 Office of General Counsel: _____ Date: _____
 Office of Attorney General: _____ Date: _____

Form Approval No. 6-FA-49.0

Comptroller: Donna Kohr - Electronic Signature Date: 12/1/2021

Vendor Name: Whitehall-Coplay SD
Address: 2940 MacArthur Rd, Whitehall, PA 18052
Fed ID #: 231670258
Vendor #: 0000119451

Grant Title	Funding Source	Project Number	CFDA Number	Allocation Amount	Award Amount
American Rescue Plan - Elementary and Secondary Schools Emergency Relief Fund (ARP-ESSER)	Federal	223-21-0481	84.425U	\$7,184,831.00	\$7,184,831.00

Grantee agrees to comply with the following terms and conditions:

1. The development and execution of the program outlined in this Agreement and subsequent reimbursement for such program by the Department will be in accordance with this Agreement's provisions as finally approved by the Department and shall comply with all applicable provisions of federal, state and local laws, the official regulations pertaining thereto, program guidelines and instructions issued by the Pennsylvania Department of Education.
2. Grantee will comply with all reporting requirements in relation to program and fiscal components of the ARP-ESSER program as defined by the Department and/or federal governing agencies.
3. Grantee will maintain documentation of expenditures, procurement and activities carried out through this grant for a period of the current year plus six years in accordance with Department guidelines. Grantee will provide records to Department, monitors or federal awarding agency upon request.
4. Grantee will comply with all reporting requirements in relation to any waiver authorized under the ARP-ESSER and applied for and approved through the grantee agency. The Department will provide reporting requirements and due dates when available from the federal awarding agency.
5. Payment to Grantee under this Agreement is contingent upon appropriation and availability of funds to the Commonwealth.
6. Grantee will reserve at least 20% for learning loss mitigation, including through:
 - Afterschool, summer schools, extended day/year programs.
 - Targeted to ESEA subgroups, students experiencing homelessness, and children and youth in foster care.

General Federal Requirements:

1. Grantee shall use such fiscal control and fund accounting procedures necessary to ensure the proper disbursement of, and accounting for, federal funds paid to the applicant under each such program.
2. Grantee shall comply with the Uniform Grant Guidance – Subpart D (Post Federal Award Requirements) Standards for Financial and Programs, 2 CFR §200.300-§200.345, as applicable.
3. Grantee shall comply with the Uniform Grants Guidance -- Subpart D (Post Federal Award Requirements) methods of procurement to be followed, 2 CFR §200.320.
4. Grantee shall ensure that all written policies and procedures required by the Uniform Grants Guidance for the administration of federal grant dollars are created, approved, implemented and are available for review by monitors.
5. Grantee shall comply with the Uniform Grants Guidance – Subpart E (Cost Principles) 2 CFR §200.400-§200.417 and 2 CFR §200.420-§200.475, as applicable.
6. Grantee shall comply with the Uniform Grants Guidance – Subpart F – Audit Requirements, specifically sections 2 CFR §200.500-§200.512, as applicable.

Other Federal Requirements:

1. When issuing statements, press releases, requests for proposals, bid solicitations and other documents describing projects or programs funded in whole or in part with federal money, Grantee shall clearly state:
 1. the percentage of the total costs of the program or project that will be financed with federal money;
 2. the dollar amount of federal funds for the project or program; and
 3. the percentage and dollar amount of the total costs of the project or program that will be financed by nongovernmental sources.
2. Grantee shall ensure that its personnel, whose salaries and/or benefits are federally funded are prohibited from text messaging while driving a government owned vehicle, or while driving their own privately owned vehicle during official business, or from using government supplied electronic equipment to text message or email when driving.

3. Insofar as any construction projects are funded with this Agreement, Grantee shall comply with all applicable federal and state legal requirements with respect to such construction projects, including, without limitation, the pre-approval requirements set forth in 2 CFR §200.439, the construction requirements set forth in 34 CFR §§ 75.600-75.617 (such as 34 CFR 75.609 (Safety and Health standards) and 75.616 (Energy Conservation)), and the Davis-Bacon Act (40 U.S.C. 3141-3144, and 3146-3148) as supplemented by Department of Labor regulations (29 CFR Part 5, “Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction”). The federal equal opportunity clause applicable to federally assisted construction contracts contained at 41 CFR § 60-1.4 is incorporated herein by reference.
4. Grantee acknowledges that this Agreement may be revised pursuant to ongoing guidance from the relevant federal or Commonwealth agency regarding requirements for the funds subject to this Agreement. Grantee agrees to abide by any such revisions upon written notification from Commonwealth of the revisions, which will automatically become a material part of this Agreement, without the necessity of either party executing any further instrument.

Section: Narratives - Assessing Impacts and Needs

LEA ARP ESSER APPLICATION

The Pennsylvania Department of Education (PDE) recognizes the extraordinary efforts made by Local Education Agencies (LEAs), schools, and educators to support students during the COVID-19 pandemic. The application below requests information from LEAs about: (1) Needs and impacts resulting from the pandemic, (2) Stakeholder engagement in the development of local plans to respond to these needs and impacts, (3) Specific elements in the LEA Plan for the Use of ARP ESSER Funds; and (4) Plans for monitoring and measuring progress. As submitted and accepted by PDE in final form, this application shall become part of the Grant Agreement for ARP ESSER funds as Appendix B. As used in this application, "the LEA" refers to the Grantee defined in the Grant Agreement.

ARP ESSER includes a significant focus on vulnerable student populations. Given these requirements, as well as PDE's own equity commitments, the LEA application includes specific fields requesting information on programs to serve student groups that have experienced disproportionate impacts from the pandemic. Student groups are inclusive of the following:

- Students from low-income families;
- Students from each racial or ethnic group (e.g., identifying disparities and focusing on underserved student groups by race or ethnicity);
- Gender (e.g., identifying disparities and focusing on underserved student groups by gender);
- English learners;
- Children with disabilities (including infants, toddlers, children, and youth with disabilities eligible under the Individuals with Disabilities Education Act [IDEA]);
- Students experiencing homelessness;
- Children and youth in foster care;
- Migrant students; and
- Other groups disproportionately impacted by the pandemic that have been identified by the LEA (e.g., youth involved in the criminal justice system, students who have missed the most in-person instruction during the 2019-2020 and 2020-2021 school years, students who did not consistently participate in remote instruction when offered during school building closures, and LGBTQ+ students).

Section I: Assessing Impacts and Needs

In this first section, LEAs are asked to describe the impact of the pandemic on their students, examine disproportionate impacts on specific student groups, and highlight the LEA's promising practices in supporting student needs since March 2020.

Indicators of Impact

1. Understanding the Impact of the COVID-19 Pandemic: Describe how the LEA has identified or will identify the extent of the impact of the COVID-19 pandemic on student learning and well-being. Specifically, what methods (i.e., collecting and analyzing data and information from focus groups, surveys,

and local assessment results) were used or will be used to identify and measure impacts in four key areas: (1) Academic impact of lost instructional time, (2) Chronic absenteeism, (3) Student engagement, and (4) Social-emotional well-being?

	Methods Used to Understand Each Type of Impact
Academic Impact of Lost Instructional Time	A gap analysis will be conducted at the end of the 20-21 school year to determine what concepts and competencies within a subject area may need to be reviewed, retaught, and/or taught during the 21-22 school year at the next grade level in order to provide the prerequisite skills needed for new concepts. Further, a variety of assessments (diagnostic, formative, summative, and benchmark) will be used to determine academic needs of students. i-Ready diagnostic benchmark will be given 3 times a year in grades K-6 to assess learning gaps and provide an individual pathway to address these learning gaps. Study Island benchmarking will be given at least 2 times in grades 4-8 and Keystone aligned courses. Data from these benchmarking assessments will be reviewed at least 3 times to determine students' progress toward mitigating learning loss and progress toward grade-level standards. Classroom teachers and content-area teachers will utilize this data to guide instruction.
Chronic Absenteeism	Chronic absenteeism is defined as missing more than 10% of school days, regardless of reason. Using the district's Student Information System, reports will be run, tracking student absenteeism. The district will establish baseline data, evaluate chronic absenteeism years prior to pandemic, and run 20-21 report for comparison study. The district can also utilize case counts as related to truancy with Valley Youth House years prior to 20-21 and for the 20-21 school year for comparison study and utilize citation counts for years prior to 20-21. The district will ensure strict attendance monitoring and will use problem solving approaches and student and parent communication to determine root causes, employing a multi-tiered system of supports focused on prevention rather than punitive measures. Therefore, the district will continue working with community partners, specifically Valley Youth House.
Student Engagement	Usage reports of technology tools can be used to gauge student on-line engagement. High school students were surveyed (with over 1,000 responses) regarding on-line learning, seeking input on what was going well and what areas could be improved. Meetings were held with building administration and results were shared. Then, building meetings were held regarding recommendations as a result of the survey.
Social-emotional Well-	The district can use comparative data for the 20-21 school year and years prior such as discipline data, logged meetings with school counselors, outplacements/hospitalizations, SAP referrals, and Safe 2 Say tips to gauge social-emotional well-being. Focus groups including the school counselors, psychologists, and integrated support services coordinators will address the mental health and well-being needs of students as a result of COVID-19. They will review student grades, attendance, and other indicators using a

	Methods Used to Understand Each Type of Impact
being	child study process in order to determine students most in need of support services and provide one-on-one and small group counseling as needed. The district has also partnered with a number of agencies (Center for Humanistic Change, Communities in Schools, Lehigh Valley Hospital Outpatient, Mid-Atlantic Rehab Services, Valley Youth House) to provide additional Tier 2 and Tier 3 behavioral health supports following a multi-tiered system of support process.
Other Indicators	N/A

Documenting Disproportionate Impacts

2. Identify **at least three student** groups in the LEA that faced particularly significant impacts from the pandemic. For each, provide specific strategies that were used or will be used to identify and measure impacts.

Student Group	Provide specific strategies that were used or will be used to identify and measure impacts
Children with disabilities (including infants, toddlers, children, and youth with disabilities eligible under the Individuals with Disabilities Education Act [IDEA])	Special education staff is analyzing individual student data during the 20-21 school year to determine if there is any learning loss due to school closure or the hybrid instructional model and provide COVID compensatory services as needed. Special education staff will continue to monitor students growth on IEP goals throughout the 21-22 school year to determine if any students are struggling to return to their prior levels of performance, and, if necessary, an IEP team meeting will be convened.
Students from low-income families	EdInsight is the district's data management platform where data (including PSSA and Study Island) is housed and accessible for review. Teachers, principals, and administrators can view detailed personalized student performance information, via the Web, at the individual student level, class level, grade level, and building level. Reports can be disaggregated for different subgroups. Additionally, the district is adopting i-Ready for reading in grades K-6 as well as math K-8; growth reports will be analyzed several times a year by classroom teachers and math and reading specialists. Further, Study Island data can be disaggregated for student groups that are particularly at risk.

Student Group	Provide specific strategies that were used or will be used to identify and measure impacts
Students from each racial or ethnic group (e.g., identifying disparities and focusing on underserved student groups by race or ethnicity)	EdInsight is the district's data management platform where data (including PSSA and Study Island) is housed and accessible for review. Teachers, principals, and administrators can view detailed personalized student performance information, via the Web, at the individual student level, class level, grade level, and building level. Reports can be disaggregated for different subgroups. Additionally, the district is adopting i-Ready for reading in grades K-6 as well as math K-8; growth reports will be analyzed several times a year by classroom teachers and math and reading specialists. Further, Study Island data can be disaggregated for student groups that are particularly at risk.

Reflecting on Local Strategies

3. Provide the LEA’s assessment of the top two or three strategies that have been most effective in supporting the needs of students, in particular specific student groups most impacted by the COVID-19 pandemic. Include at least one strategy addressing **academic needs** and at least one strategy addressing **social-emotional needs**.

	Strategy Description
Strategy #1	Learning Acceleration - With the adoption of a diagnostic benchmark (i-Ready) at grades K-6 in reading and K-8 in math, teachers will be able to determine where students are in their mastery of critical skills and concepts. Further, the i-Ready learning platform will deliver precise instructional pathways that are guided by i-Ready Assessment data. The lessons engage students through motivating, personalized instruction, learning games, and other resources while simultaneously addressing learning gaps and providing scaffolded supports. This will allow teachers to mitigate learning loss of previous skills while simultaneously addressing grade-level skills and standards.

i. **Impacts that Strategy #1 best addresses:** (select all that apply)

- Academic impact of lost instructional time**
- Chronic absenteeism**
- Student engagement**

- Social-emotional well-being
- Other impact

ii. If Other is selected above, please provide the description here:

iii. Student group(s) that Strategy #1 most effectively supports: (select all that apply)

- Students from low-income families
- Students from each racial or ethnic group (e.g., identifying disparities and focusing on underserved student groups by race or ethnicity)
- Gender (e.g., identifying disparities and focusing on underserved student groups by gender)
- English learners
- Children with disabilities (including infants, toddlers, children, and youth with disabilities eligible under the Individuals with Disabilities Education Act (IDEA))
- Students experiencing homelessness
- Children and youth in foster care
- Migrant students
- Other student groups: (provide description below)

iv. If Other is selected above, please provide the description here.

Reflecting on Local Strategies: Strategy #2

	Strategy Description
Strategy #2	The district is providing follow-up training on trauma-informed care and restorative practices to prepare the staff in addressing any social or emotional student issues that may arise in the course of the year. A newly hired supervisor of equity will be researching social-emotional learning programs and strategies and supplemental resources will be added as vetted and obtained.

i. Impacts that Strategy #2 best addresses: (select all that apply)

- Academic impact of lost instructional time
- Chronic absenteeism
- Student engagement
- Social-emotional well-being
- Other impact

ii. If Other is selected above, please provide the description here:

iii. Student group(s) that Strategy #2 most effectively supports: (select all that apply)

- Students from low-income families
- Students from each racial or ethnic group (e.g., identifying disparities and focusing on underserved student groups by race or ethnicity)
- Gender (e.g., identifying disparities and focusing on underserved student groups by gender)
- English learners
- Children with disabilities (including infants, toddlers, children, and youth with disabilities eligible under the Individuals with Disabilities Education Act (IDEA))
- Students experiencing homelessness
- Children and youth in foster care
- Migrant students
- Other student groups: (provide description below)

iv. If Other is selected above, please provide the description here.

Reflecting on Local Strategies: Strategy #3

	Strategy Description
Strategy #3	After reviewing student reading data, it was determined that a new research-based intervention would be beneficial for students receiving a replacement reading curriculum. After reviewing the Evidence Research Center, it was determined that Read 180 would be purchased for students in grades 4 to 8 receiving a replacement reading curriculum. The district has used Read 180 at the high school level with good results so expanded its use to the upper elementary and middle grades.

i. **Impacts that Strategy #3 best addresses:** (select all that apply)

- Academic Impact of Lost Instructional Time**
- Chronic absenteeism**
- Student engagement**
- Social-emotional well-being**
- Other impact**

ii. **If Other is selected above, please provide the description here:**

iii. **Student group(s) that Strategy #3 most effectively supports:** (select all that apply)

- Students from low-income families**
- Students from each racial or ethnic group (e.g., identifying disparities and focusing on underserved student groups by race or ethnicity)**
- Gender (e.g., identifying disparities and focusing on underserved student groups by gender)**
- English learners**
- Children with disabilities (including infants, toddlers, children, and youth with disabilities eligible under the Individuals with Disabilities Education Act (IDEA))**
- Students experiencing homelessness**
- Children and youth in foster care**
- Migrant students**
- Other student groups: (provide description below)**

iv. **If Other is selected above, please provide the description here:**

Section: Narratives - Engaging Stakeholders in Plan Development

Section II: Engaging Stakeholders in Plan Development

In this second section, LEAs are asked to provide information on how stakeholders will be engaged in planning for the use of ARP ESSER funds, how stakeholder input will be utilized, and how the LEA will make its LEA Plan for the Use of ARP ESSER Funds transparent to the public—all critical components in developing, implementing, and adjusting plans based on the differential impacts of the COVID-19 pandemic.

4. Stakeholder Engagement

Describe how the LEA, in planning for the use of ARP ESSER funds, has engaged or will engage in meaningful consultation with stakeholders. **(3,000 characters max)**

(Stakeholders include students; families; school and district administrators (including special education administrators); teachers; principals; school leaders; other educators; school staff; and unions. In addition, to the extent that the following groups are present in or served by the LEA, stakeholders also include community partners, civil rights organizations (including disability rights organizations); stakeholders representing the interests of children with disabilities, English learners, children experiencing homelessness, children and youth in foster care, migrant students, children who are incarcerated, and other underserved students; and tribes.)

During the spring of 2021, at its semi-monthly administrative meetings, the district involved principals and school leaders (including special education director and supervisors, ESL coordinator) in the discussion of how ARP ESSER funds could be used. Principals also solicited input from their building staff. Further, the district conducted a stakeholder engagement meeting, inviting teachers (including union representation), school board and community members, as well as parents to consult with them regarding how these ARP ESSER funds should be used.

5. Use of Stakeholder Input

Describe how the LEA has taken or will take stakeholder and public input into account in the development of the LEA Plan for the Use of ARP ESSER Funds. **(3,000 characters max)**

Due to the increased utilization of technology in the classroom, input included the expansion of technology coaching, and two (2) technology integration coaches are being hired. Due to the impact of COVID on the social-emotional well-being of students, suggestions were made to provide supports in the area of social-emotional learning and resources are being added. Due to the impact of COVID on academic performance, suggestions were made to implement a math intervention program at K-8, and additional staff are being hired to provide these supports. It was noted that additional academic supports are needed for all students, so after-school tutoring is being expanded to all grade levels and for all students.

6. Public Access to LEA Plan for the Use of ARP ESSER Funds

Describe the process for development, approval, and making public the LEA Plan for the Use of ARP

ESSER Funds. The LEA Plan for the Use of ARP ESSER Funds must be made publicly available on the LEA website and submitted to PDE within 90 days of LEA receipt of ARP ESSER funding, must be written in a language that parents/caregivers can understand, and must be provided in alternate format upon request by a parent/caregiver who is an individual with a disability. **(3,000 characters max)**

Using stakeholder input, the LEA developed a plan for the use of ARP ESSER funds. The district will satisfy the plan requirement through its eGrants submission since the plan reflects the insights of stakeholders and addresses the most pressing needs as a result of the COVID-19 pandemic and uses effective strategies for teaching, learning, and mitigating learning loss. Once the district's plan is approved by PDE, the district will use the content directly from the eGrants application for its plan and make the plan publicly available on the district's website. If requested, the plan will be made available to a parent/caregiver in an alternate format.

Section: Narratives - Using ARP ESSER Funds to Plan for Safe, In-Person Instruction

Section III: Using ARP ESSER Funds to Plan for Safe, In-Person Instruction

In this third section, LEAs are asked to reflect on both the impacts and needs described in Section I and stakeholder engagement described in Section II to provide a description of the LEA plan for the use of ARP ESSER funds, beginning with the minimum 20 percent reservation, to address the impact of lost instructional time as required by section 2001(e)(1) of the ARP Act.

Instructions: For both (a) the 20 percent reservation to address the impact of lost instructional time and (b) remaining funds, describe the LEA's principles for emphasizing educational equity in expending ARP ESSER funds, including but not limited to:

- Responding to students' academic, social, emotional, and mental health needs, and addressing opportunity gaps that existed before—and were exacerbated by—the pandemic.
- Allocating funding to individual schools and for LEA-wide activities based on student need.
- Implementing an equitable and inclusive return to in-person instruction. An inclusive return to in-person instruction includes, but is not limited to, establishing policies and practices that avoid the over-use of exclusionary discipline measures (including in- and out-of-school suspensions) and creating a positive and supportive learning environment for all students.
- Taking steps 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 ARP ESSER-supported program, in compliance with the requirements of section 427 of GEPA (20 U.S.C. 1228a).
- Attending to sustainability of plans supported by non-recurring ARP ESSER funds beyond the ARP ESSER funding period.

7. Plan for 20 percent Reservation to Address the Impact of Lost Instructional Time (**Learning Loss**)

How will the LEA use the funds it reserves under section 2001(e)(1) of the ARP Act 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? **(3,000 characters max)**

The response must include:

- a. A description of the evidence-based interventions (e.g., providing intensive or high-dosage tutoring, accelerating learning) the LEA has selected, and how the LEA will evaluate the impact of those interventions on an ongoing basis to determine effectiveness.
- b. How the evidence-based interventions will specifically address the needs of student groups most disproportionately impacted.
- c. The extent to which the LEA will use funds it reserves to identify, engage, and support (1) students who have missed the most in-person instruction during the 2019-2020 and 2020-2021 school years; and (2) students who did not consistently participate in remote instruction when offered during school building closures.

The district has expanded its summer learning program to all grades K-8 and credit recovery at grades 9-12 to support identified students. Additionally, the district is expanding after-school tutoring to all grades K-12, having teachers available for tutoring small groups of students, filling in learning gaps, and reteaching grade-level concepts as needed. i-Ready reading and math is being implemented; i-Ready is a comprehensive assessment and instruction program that empowers educators with the resources they need to help all students succeed. The i-Ready learning platform will deliver precise instructional pathways that are guided by i-Ready assessment data. The lessons engage students through motivating, personalized instruction, learning games, and other resources while simultaneously addressing learning gaps and providing scaffolded supports. This will allow teachers to mitigate learning loss of previous skills while simultaneously addressing grade-level skills and standards, thus accelerating learning. Since the pathways are individualized, the i-Ready platform will address the needs of all students, including those student groups most impacted by lost instructional time. The district is expanding its multi-tiered system of supports in the areas of math and reading. Benchmark assessments for all students will be conducted three times per year (fall, winter, spring) and results will be compared over time to determine student growth throughout the school year and monitor progress in bridging learning gaps throughout the school year, especially for those students who may have missed the most in-person instruction or may have not participated consistently in remote instruction during hybrid or remote instruction. i-Ready diagnostic and benchmark data will be used to determine students in need of Tier 2 and Tier 3 interventions. i-Ready diagnostic and benchmark data as well as Study Island benchmark data will be disaggregated to determine how subgroups of students are progressing in skill development and proficiency in grade-level standards.

8. Plan for Remaining Funds *(funds not described under the question above)*

How will the LEA spend its remaining ARP ESSER funds including for each of the four fields below, as applicable? **(3,000 characters max)**

- a. Continuity of Services: How will the LEA use ARP ESSER funds to sustain services to address students' academic needs; students' and staff social, emotional, and mental health needs; and student nutrition and food services?
- b. Access to Instruction: How will the LEA use ARP ESSER funds to support the goals of increasing opportunity to learn and equity in instructional delivery? Consider regular attendance/chronic absenteeism data from the 2020-21 school year, including data disaggregated by student groups, in developing the response.
- c. Mitigation Strategies: How will the LEA use ARP ESSER funds to support prevention and mitigation policies in line with the most up-to-date guidance from the Centers for Disease Control and Prevention (CDC) for the reopening and operation of school facilities and transportation services to effectively maintain the health and safety of students, educators, and other staff? Consider the LEA's Health and Safety Plan in developing the response.
- d. Facilities Improvements: How will the LEA use ARP ESSER funds to repair and improve school facilities to reduce risk of virus transmission, address environmental health hazards, and/or improve ventilation? Consider the LEA's Health and Safety Plan in developing the response.

The district will use most of the remaining funds to address students' academic needs. Classroom teachers are being added in K-5 in order to have smaller class sizes so that teachers can provide more individual attention and increased participation. Special education inclusion teachers are also being added at grades K-2 in order to meet the needs of students

with learning disabilities, and an emotional support teacher is being added at the high school level to meet their SEL needs. Further, content-area positions that were or have become vacant are being filled. Special education is expanding its use of Read 180 (an intervention included on the list from the Evidence Resource Center) to grades 4-8 in addition to its continued use at grades 9-12 at the high school; this is being funded through the general budget. The district will utilize best practices that strengthen social-emotional health. A newly appointed supervisor of equity will not only work to ensure that every child has an equal chance for success but also research SEL programs and resources for implementation during the 21-22 and 22-23 school years. The district will be expanding counseling services both individual and small groups. Lehigh Valley Health Network will provide individual site-based programming. Valley Youth House will provide Bounce Back programming and Cognitive Behavioral Intervention for Trauma in Schools (CBITS). In addition, the schools will continue their School-Wide Positive Behavior Intervention and Supports. The school will continue its breakfast and lunch programs, providing free meals to all students. Additionally, there is a strong community partnership addressing food scarcity. Using the district's Student Information System, reports will be run, tracking student absenteeism. The district will establish baseline data, evaluate chronic absenteeism years prior to the pandemic, and run 20-21 report for comparison study. The district can also utilize case counts as related to truancy with Valley Youth House years prior to 20-21 and for the 20-21 school year for comparison study and utilize citation counts for years prior to 20-21. The district is using its Elementary And Secondary School Emergency Relief Fund II money to purchase Chromebooks so that all students have access to a device. General budget funds are being used to purchase Hot Spots for students who do not have internet access. Further, district funds are being used to continue use of Zoom for remote learning as needed as well as softwares, such as Kami to edit "pdf" assignments and Screencastify for teachers to record lessons). The district is using general funds to purchase cleaning supplies that will meet or exceed local, state, federal, and CDC recommendations and guidelines. Custodial staff use approved disinfectant and a cleaning process that ensures proper dwell time, cleaning and disinfecting of high-touch surfaces. The district is using its Elementary And Secondary School Emergency Relief Fund II money to purchase bipolar ionizers. Bipolar ionization technology releases charged atoms that attach to and deactivate harmful substances like bacteria, mold, allergens, and viruses.

9. For LEAs with one or more Comprehensive Support and Improvement (CSI) or Additional Targeted Support and Improvement (ATSI) school only

Please verify consultation of the [Evidence Resource Center](#) in developing the LEA Plan for the Use of ARP ESSER Funds and provide a justification for any intervention that is not supported by tier 1, 2, 3, or 4 evidence. If the LEA does not include a school with a CSI or ATSI designation, indicate "Not Applicable."
(3,000 characters max)

Student achievement goals at Whitehall High School were identified through targeted areas in the Future Ready Index as well as a comprehensive multi-year review of student and school achievement data. The high school's collective vision and goals include ensuring that students are on track for post-secondary education, training or employment; educators demonstrate proficient or distinguished practices in the classroom; and students meet the state-wide goals and interim targets established for Whitehall High School in state assessment measures. School Wide Intervention Programs were developed to benefit all students enrolled at Whitehall High

School. These inventions fold into the ATSI plan that was developed in consultation with Carbon Lehigh Intermediate Unit 21 and aligned with various components of the Evidence Resource Center’s Tiered Interventions. Student interventions include but are not limited to, READ 180, Dual Enrollment, Early College High Schools, Sheltered Instruction Observation Protocol, Truancy Prevention Programs, Peer Group Connection Program, Positive Behavior Intervention Supports, Communities In Schools, and Trauma-Informed Care. Staff development programs include Data Team Meetings, Comprehensive School Counseling Program, Teacher Study Groups, and NISL Executive Development Programs.

10. 20% Reservation Calculation

Please enter your ARP ESSER total allocation amount and then click Save.

***Please ensure that your 20% (or greater) budgeted amount for Learning Loss is itemized in your Budget.**

	ARP ESSER Allocation	Reservation Requirement	Reservation Amount (calculated on save)
20 Percent Reservation	7,179,721	20%	1,435,944

Section: Narratives - Monitoring and Measuring Progress

Section IV: Monitoring and Measuring Progress

In this fourth section, LEAs are asked to describe efforts to build local capacity to ensure high-quality data collection and reporting to safeguard funds for their intended purposes.

11. Capacity for Data Collection and Reporting

LEAs must continuously monitor progress and adjust strategies as needed. Describe the LEA's capacity and strategy to collect and analyze data (disaggregated by student group, where applicable), for each of the following measures:

	Data Collection and Analysis Plan (including plan to disaggregate data)
Student learning, including academic impact of lost instructional time during the COVID-19 pandemic	EdInsight is the district's data management platform where data (including PSSA and Study Island) is housed and accessible for review. Teachers, principals, and administrators will view detailed personalized student performance information, via the Web, at the individual student level, class level, grade level, and building level. Reports can be disaggregated for different subgroups. Additionally, the district is adopting i-Ready for reading in grades K-6 as well as math K-8; growth reports will be analyzed several times a year by classroom teachers and math and reading specialists. Further, Study Island data will be disaggregated for student groups that are particularly at risk. Using the disaggregated data, Intervention specialists in reading and math will provide additional instructional time with Tier 2 and 3 supports.
Opportunity to learn measures (see help text)	All students are provided with a district issued chrome book, and all teachers are provided with a district issued laptop. Hot spots are provided to students who do not have internet access. Technology tools (Zoom, Screencastify, Kami, Peardeck, and See-Saw for primary students) were purchased for use in the 20-21 school year to aid in hybrid and remote learning; those tools are being renewed for the 21-22 school year. All teachers were required to complete 5 hours of professional development prior to the start of the 20-21 school year. Those sessions were based on the 5 core instructional technology tools purchased that were required for on-line learning. There is continued on-going technology professional development in order to hone teachers' technology skills. During the 21-22 school year, the district is expanding instructional technology coaching, having 2 staff members available full-time for coaching. Further, training and orientation materials were provided to families throughout the 20-21 school year and remain posted on the district website. High school students were surveyed in December 2020 with over 1,000 responses regarding on-line learning, seeking input on what was going well and what areas could be improved. Meetings were held with building administration and results were shared. Then, building meetings were held regarding recommendations as a result of the survey.
Jobs created and	

	Data Collection and Analysis Plan (including plan to disaggregate data)
retained (by number of FTEs and position type) (see help text)	35
Participation in programs funded by ARP ESSER resources (e.g., summer and afterschool programs)	For summer school, progress and/or grade reports will be analyzed. For students participating in after-school tutoring, growth between benchmark assessments will be analyzed ad/or grade reports each quarter.

Section: Narratives - ARP ESSER Assurances

ARP ESSER Fund Assurances

Please complete each of the following assurances prior to plan submission:



The LEA will implement appropriate fiscal monitoring of and internal controls for the ARP ESSER funds (e.g., by updating the LEA's plan for monitoring funds and internal controls under the CARES and CRRSA Acts; addressing potential sources of waste, fraud, and abuse; conducting random audits; or other tools).



The LEA will complete quarterly Federal Financial Accountability Transparency Act (FFATA) reports and comply with all PDE reporting requirements, including on matters such as:

- How the LEA is developing strategies and implementing public health protocols including, to the greatest extent practicable, policies and plans in line with the CDC guidance related to mitigating COVID-19 in schools;
- Overall plans and policies related to LEA 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 LEA's and school's mode of instruction (fully in-person, hybrid, and fully remote) and conditions;
- LEA 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;
- LEA uses of funds to sustain and support access to LEA-supported 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;
- Requirements under the FFATA; and
- Additional reporting requirements as may be necessary to ensure accountability and transparency of ARP ESSER fund use.



The LEA 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: (a) the United States Department of Education and/or its Inspector General; (b) any other federal agency, commission, or department in the lawful exercise of its jurisdiction and authority; (c) the Pennsylvania Department of Education; and/or (d) the Pennsylvania Auditor General, Pennsylvania Inspector General, or any other state agency.



Records pertaining to ARP ESSER Funds, including financial records related to the use of grant funds, will be tracked and retained separately from those records related to the LEA's use of other Federal funds, including ESSER I and ESSER II Funds.



The LEA will maintain inventory records, purchase orders and receipts for equipment (over \$5,000) purchased, all computing devices, and special purpose equipment (\$300 - \$4,999), and will conduct a physical inventory every two years. Please note: inventory of equipment purchased with federal funds must be broken out by funding source.



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).



The LEA will conduct its operations so that no person shall be excluded from participation in, be denied the benefits of, or be subject to discrimination under the ARP ESSER program or activity based on race; color; national origin, which includes a person's limited English proficiency or English learner status and a person's actual or perceived shared ancestry or ethnic characteristics; sex; age; or disability. These non-discrimination obligations arise under Federal civil rights laws, including but not limited to Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments Act of 1972, section 504 of the Rehabilitation Act of 1973, and the Age Discrimination Act of 1975. In addition, the LEA must comply with all regulations, guidelines, and standards issued by the United States Department of Education under any of these statutes.



The LEA will comply with all ARP Act and other ARP ESSER requirements, including but not limited to complying with the maintenance of equity provisions in section 2004(c) of the ARP Act. Under Maintenance of Equity, per-pupil funding from state and local sources and staffing levels for *high poverty schools* may not be decreased by an amount that exceeds LEA-wide

reductions in per-pupil funding and staffing levels for *all schools* served by the LEA¹. High poverty schools are the 25 percent of schools serving the highest percent of economically disadvantaged students in the LEA as measured by information LEAs submitted in PIMS that includes individual student data and identifying if the student meets economically disadvantaged criteria. This data is used to calculate school poverty percentages . Note: An LEA is exempt from the Maintenance of Equity requirement if the LEA has a total enrollment of fewer than 1,000 students, operates a single school, serves all students in each grade span in a single school, or demonstrates an exceptional or uncontrollable circumstance, as determined by the United States Secretary of Education.

¹Calculations for Maintenance of Equity: Per Pupil Funding from combined State and local funding = Total LEA funding from combined State and local funding for all schools served by the LEA in the given fiscal year, divided by the number of children enrolled in all schools served by the LEA in the given fiscal year. Full time equivalent staff = Total full-time equivalent staff in all schools served by the LEA in the given fiscal year, divided by the number of children enrolled in all schools served by the LEA in the given fiscal year. These calculations should be completed for all schools in the LEA as well as for high poverty schools in the LEA for FY 2021-22 and 2022-23. Reductions must not be greater for high poverty schools than for all schools in the LEA.



The LEA will implement evidence-based interventions, as required by section 2001(e)(1) of the ARP Act.



The LEA will address the disproportionate impact of the COVID-19 pandemic on underserved students (i.e., students from low-income families, students from underserved racial or ethnic groups and gender groups, English learners, children with disabilities, students experiencing homelessness, children and youth in foster care, migrant students, and other groups disproportionately impacted by the pandemic that have been identified by the LEA) as required by section 2001(e)(1) of the ARP Act.



The LEA will develop and make publicly available a Plan for the Safe Return to In-Person Instruction and Continuity of Services, hereinafter referred to as the LEA Health and Safety Plan, that complies with section 2001(i) of the ARP Act. The plan will be submitted to PDE, in a manner and form determined by PDE, no later than July 30, 2021.



The LEA's Health and Safety Plan will include (1) how the LEA will, to the greatest extent practicable, support prevention and mitigation policies in line with the most up-to-date 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; (2) how the LEA will ensure continuity of services, including but not limited to services to address the students' academic needs, and students' and staff members' social, emotional, mental health, and other needs, which may include student health and food services; (3) 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 policy on each of the following safety recommendations established by the CDC: (a) universal and correct wearing of masks; (b) modifying facilities to allow for physical distancing (e.g., use of cohorts/podding); (c) handwashing and respiratory etiquette; (d) cleaning and maintaining healthy facilities, including improving ventilation; (e) contact tracing in combination with isolation and quarantine, in collaboration with the State and local health departments; (f) diagnostic and screening testing; (g) efforts to provide vaccinations to school communities; (h) appropriate accommodations for children with disabilities with respect to health and safety policies; and (i) coordination with state and local health officials.



The LEA will review its Health and Safety Plan at least every six months during the duration of the ARP ESSER grant period and make revisions as appropriate. When determining whether revisions are necessary, the LEA will take into consideration significant changes to CDC guidance on reopening schools and will seek public input and take public input into account.



The LEA's Health and Safety Plan will be made publicly available on the LEA website and must be written in a language that parents/caregivers can understand or be orally translated for parent/caregivers and must be provided in alternate format upon request by a parent/caregiver who is an individual with a disability.



The LEA will provide to PDE: (1) the URL(s) where the public can readily find data on school operating status; and (2) the URL(s) for the LEA websites where the public can find the LEA's Health and Safety plan as required under section 2001(i) of the ARP Act; and the LEA Plan for the Use of ARP ESSER Funds.

Section: Narratives - LEA Health and Safety Plan Upload

LEA HEALTH AND SAFETY PLAN

Please upload your LEA Health and Safety Plan below, and check the assurance indicating that you have completed your upload. Please name the file using your LEA name followed by Health and Safety Plan. example: "**LEA Name-Health and Safety Plan**"



CHECK HERE - to assure that you have successfully uploaded your LEA Health and Safety Plan.

Section: Budget - Instruction Expenditures

BUDGET OVERVIEW

Budget

\$7,184,831.00

Allocation

\$7,184,831.00

Budget Over(Under) Allocation

\$0.00

INSTRUCTION EXPENDITURES

Function	Object	Amount	Description
1400 - Other Instructional Programs – Elementary / Secondary	100 - Salaries	\$211,013.00	Learning Loss - Summer learning teachers K-12
1400 - Other Instructional Programs – Elementary / Secondary	300 - Purchased Professional and Technical Services	\$105,000.00	Learning Loss - Virtual summer learning at high school
1400 - Other Instructional Programs – Elementary / Secondary	100 - Salaries	\$255,000.00	Learning Loss - After-school tutoring K-12
1100 - REGULAR PROGRAMS – ELEMENTARY / SECONDARY	100 - Salaries	\$885,000.00	Learning Loss - Salaries for Math Instructional Support Teachers using evidenced-based practices & data to support math MTSS in grades 2-8 with technical assistance from PaTTAN
			Learning Loss - Salary for Reading Specialist as part of RTII process

Function	Object	Amount	Description
1100 - REGULAR PROGRAMS – ELEMENTARY / SECONDARY	100 - Salaries	\$190,000.00	and using research-based interventions, including Read Naturally, and standards-based interventions, including WonderWorks
1100 - REGULAR PROGRAMS – ELEMENTARY / SECONDARY	100 - Salaries	\$4,333,080.00	Regular education teachers
1200 - SPECIAL PROGRAMS – ELEMENTARY / SECONDARY	100 - Salaries	\$450,000.00	Special education teachers
		\$6,429,093.00	

Section: Budget - Support and Non-Instructional Expenditures

BUDGET OVERVIEW

Budget

\$7,184,831.00

Allocation

\$7,184,831.00

Budget Over(Under) Allocation

\$0.00

NON-INSTRUCTIONAL EXPENDITURES

Function	Object	Amount	Description
2400 - Health Support Services	100 - Salaries	\$9,828.00	Learnin Loss - Nurse for summer learning programs K-8
2700 - Student Transportation	100 - Salaries	\$15,910.00	Learning Loss - Transportation for summer learning programs K-8
2200 - Staff Support Services	100 - Salaries	\$730,000.00	Instructional technology supervisor & coaches
		\$755,738.00	

Section: Budget - Budget Summary

BUDGET SUMMARY

	100 Salaries	200 Benefits	300 Purchased Professional and Technical Services	400 Purchased Property Services	500 Other Purchased Services	600 Supplies 800 Dues and Fees	700 Property	Totals
1000 Instruction	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
1100 REGULAR PROGRAMS – ELEMENTARY / SECONDARY	\$5,408,080.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$5,408,080.00
1200 SPECIAL PROGRAMS – ELEMENTARY / SECONDARY	\$450,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$450,000.00
1300 CAREER AND TECHNICAL EDUCATION	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
1400 Other Instructional Programs – Elementary / Secondary	\$466,013.00	\$0.00	\$105,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$571,013.00
1600 * ADULT EDUCATION PROGRAMS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
1700 Higher Education Programs	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
1800 Pre-K	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2000 SUPPORT SERVICES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2100 SUPPORT SERVICES – STUDENTS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2200 Staff Support Services	\$730,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$730,000.00

	100 Salaries	200 Benefits	300 Purchased Professional and Technical Services	400 Purchased Property Services	500 Other Purchased Services	600 Supplies 800 Dues and Fees	700 Property	Totals
2300 SUPPORT SERVICES – ADMINISTRATION	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2400 Health Support Services	\$9,828.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$9,828.00
2500 Business Support Services	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2600 Operation and Maintenance	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2700 Student Transportation	\$15,910.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$15,910.00
2800 Central Support Services	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
3000 OPERATION OF NON-INSTRUCTIONAL SERVICES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
3100 Food Services	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
3200 Student Activities	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
3300 Community Services	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
4000 FACILITIES ACQUISITION, CONSTRUCTION AND IMPROVEMENT SERVICES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	\$7,079,831.00	\$0.00	\$105,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$7,184,831.00
Approved Indirect Cost/Operational Rate: 0.0000								\$0.00

	100 Salaries	200 Benefits	300 Purchased Professional and Technical Services	400 Purchased Property Services	500 Other Purchased Services	600 Supplies 800 Dues and Fees	700 Property	Totals
							Final	\$7,184,831.00

Payment Terms, Responsibilities and Contact Information

1. **PROJECT OFFICER:** The person designated to act for the Commonwealth in managing this contract is:

Susan McCrone

smccrone@pa.gov

717-783-2193

2. **TERMS OF PAYMENT:**

- a. All grants are placed on a system of scheduled payments to provide operating funds during the period of the Agreement. Monthly payments are determined by dividing the approved amount by the number of months during the term of the Agreement. Payments will be initiated by the Comptroller's Office after arrival of each fully executed Agreement.
- b. Grantee shall implement a cash management system that will ensure that only the minimum amount of cash required to effectively operate the program is requested and/or kept on hand. Failure to implement and maintain such a system can result in the Grantee being suspended until an adequate cash management system has been implemented.
- c. During the life of this Agreement, unless otherwise provided in Program Guidelines, Grantee shall submit the following financial reports to the Comptroller's Office or the Department:
 1. Reconciliation of Cash on Hand Quarterly Report PDE Form No. 2030, and
 2. Final Expenditure Report.
- d. Grantee will conform to all policies and guidelines cited in the Department's individual program Policies and Procedures and/or instructions associated with the Reconciliation of Cash on Hand Quarterly Report, and Final Expenditure Report concerning the financial reports described in Paragraph 2(c), above.
- e. The Department reserves the right to disapprove any expenditures by the Grantee that are not in accordance with this Agreement.

3. **REPORTING:**

Grantee shall submit any required program and or fiscal reports that are designated by the Department and/or federal awarding agencies for the purpose of determining program outcomes and compliance. Due dates and reporting requirements will be announced by the Department.

Any unexpended funds remaining at the end of the grant period must be returned to the Department of Education.

4. **FUNDING LEVEL: THE TOTAL COST TO THE COMMONWEALTH UNDER THIS AGREEMENT SHALL NOT EXCEED THE AMOUNT SET FORTH IN THE AGREEMENT.**

Payment of that amount is contingent upon the availability of Program funds and appropriations sufficient to pay the total costs. Any funds provided to the Grantee under this Agreement may only be used in accordance with this Agreement.

- a. **FUNDING INCREASE** – If the Commonwealth determines that additional Federal or State program funds are available for use under this Agreement, the Commonwealth may at its sole discretion increase the approved program cost. Such increases will be made in accordance with paragraph 5 (“Funding Adjustments”).

- b. **DECREASE** – The Commonwealth reserves the right, at its sole discretion, to reduce the total cost of this Agreement when the Federal or State funds appropriated by the U.S. Congress and/or State Legislature are less than anticipated by the Commonwealth after Execution of this Agreement hereunder; **or** the funds appropriated are later unavailable due to a reduction or reservation in the appropriation. Such decreases will be made in accordance with paragraph 5 (“Funding Adjustments”).
- c. **UNEXPENDED FUNDS** – Grantee understands and agrees that funds which remain unexpended at the end of the term of the Agreement or upon termination of the Agreement shall be returned to the Commonwealth within sixty (60) days of the project’s ending date or termination date along with the submission of the Final Completion Report and/or Final Expenditure Report, depending on the applicable program requirements.
- d. **WITHHOLDING OF FUNDING** – Without limitation of any other remedies to which it is entitled hereunder or at law, the Commonwealth shall have the right to withhold the funding granted under this Agreement, in whole or in part, for any of the following reasons, without limitation:
 - 1. failure of Grantee to fulfill in a timely and proper manner its obligations hereunder;
 - 2. violation of laws, regulations or polices applicable to the grant or to the implementation of the project funded under this Agreement; and
 - 3. misuse of funds, mismanagement, criminal activity or malfeasance in the implementation of this Agreement.

5. **FUNDING ADJUSTMENTS:**

Funding Adjustments may be made for the following reasons and in the following manner:

- a. **Funding Increase:**
 - 1. The Commonwealth shall notify the Grantee in writing of any funding increases under this Agreement.
 - 2. Upon receipt of this notice the Grantee shall revise and submit to the Commonwealth a revised Program Summary Budget and if necessary, any revised pages of the Narrative which shall reflect the increase of funds.
 - 3. Funding increases will take effect upon Commonwealth’s receipt and approval of the revised documents, which shall be incorporated in and made part of this Agreement.
- b. **Funding Decrease:**
 - 1. The Commonwealth shall notify the Grantee in writing of any funding decreases.
 - 2. Funding decreases will be effective upon receipt by the Grantee of the Commonwealth's funding decrease notice.
 - 3. Funding decrease notices shall be incorporated in and made part of this Agreement.
- c. **Transfer of Funds Among Cost Categories and/or Object Codes:**

Any transfer of funds among cost functions and/or object codes must be made consistent with the applicable Program Guidelines.