

**Arkansas Department of Education
DIVISION OF ELEMENTARY AND SECONDARY EDUCATION
LEA ASSURANCES and APPLICATION FOR
CARES ACT 2020
ELEMENTARY AND SECONDARY SCHOOL EMERGENCY RELIEF (ESSER) FUND**

The following assurances are for local education agencies (LEAs) receiving funds for covered activities under the *CARES Act of 2020*. The Superintendent may provide an original signature, electronic signature, or typed signature attesting to compliance with the use of this relief funding. This form shall be uploaded into Indistar in the ESSER folder.

Bentonville Schools	0401000
DISTRICT NAME	LEA NUMBER

CERTIFICATIONS

I, the undersigned Superintendent for the above named Local Education Agency (LEA), hereby, assure the Division of Elementary and Secondary Education that:

- A. The LEA will abide by the provisions of the CARES Act of 2020 and requirements from sections 442 and 427 of the General Education Provisions Act (GEPA) (20 U.S.C. § 1232e and §1228a). All activities and expenditures must be reasonable, necessary, and allocable under section 18003(d) of Division B of the CARES Act.
- B. The LEA will adopt and use proper methods of administering said funding, including:
 - a. The enforcement of any obligations imposed by law on agencies, institutions, organizations, and other recipients responsible for carrying out each federal award; and
 - b. The correction of deficiencies in operations that are identified through audits, monitoring, or evaluation.
- C. The LEA will cooperate in carrying out any evaluation of funding activities by, or for, the State Educational Agency (SEA), the Secretary, or Federal officials.
- D. The LEA will use such fiscal control and fund accounting procedures as will ensure proper disbursement of, and accounting for, Federal funds paid to the LEA under the CARES Act. The LEA should use eFinance to establish a budget and clearly identify all expenditures for ESSER funds.

E. The LEA will:

- a. Determine the most important educational needs as a result of COVID-19, propose a timeline for providing services and assistance to students and staff in both public and non-public schools, determine the extent to which the LEA intends to use ESSER funds to promote remote learning, and determine how the LEA intends to assess and address student learning gaps resulting from the disruption in educational services. This information should be documented by the LEA and be available upon request by the Arkansas Division of Elementary and Secondary Education;
- b. Submit such reports to the SEA (which shall make the reports available to the Governor) and the Secretary as the SEA and Secretary may require to enable the SEA and Secretary to perform their duties under each such program. Reporting shall include financial reporting and evidence of all expenditures with ESSER funds. Reporting may also include additional reporting as requested by the U.S. Department of Education and the Arkansas Division of Elementary and Secondary Education, including, but not limited to, the methodology the LEA will use to provide services or assistance to students and staff in both public and non-public schools, the uses of funds, demonstration of compliance with CARES Act section 18003(d), use of funds addressing the digital divide (including securing access to home-based connectivity and remote-use devices), and funds used to support remote learning for all students (including disadvantaged populations). The CARES Act requires entities that receive more than \$150,000 in CARES Act funds to report quarterly: the total amount of funds received, the amount spent or obligated for each project or activity, a detailed list of all projects or activities supported with CARES Act funds (including name, description and estimated number of jobs created or retained (where applicable)), and detailed information on subcontracts and subgrantees, including FFATA data elements, as prescribed by OMB (OMB is authorized to allow aggregate reporting on awards below \$50,000); and
- c. Maintain such records, provide such information, and afford such access to the records as the SEA (after consultation with the Governor) or the Secretary may reasonably require to carry out the SEA's or the Secretary's duties. The LEA will cooperate with any examination of records with respect to ESSER funds by making records available for inspection, production, and examination, and authorized individuals available for interview and examination, upon request by the (1) Arkansas Division of Elementary and Secondary Education, the U.S. Department of Education and/or its Inspector General; or (2) any other federal agency, commission, or department in the lawful exercise of its jurisdiction and authority.

F. The LEA will provide equitable services to students and teachers in non-public schools as required under 18005 of Division B of the CARES Act. These services and activities

must be allowable under section 18003(d) of Division B of the CARES Act. Detailed guidance is provided at <https://oese.ed.gov/files/2020/04/FAQs-Equitable-Services.pdf>

- a. The LEA will maintain control of funds for the services and assistance provided to non-public schools under the ESSER funds.
- b. The LEA will have title to materials, equipment, and property purchased with ESSER funds.
- c. The LEA will provide services to non-public schools directly or through contract with another public or private entity. No funds will be sent to the non-public schools.

FOCUS AREA(S)

The LEA will utilize funds in one or more of the following four (4) areas to address the impact of COVID-19, and support long-term improvements in infrastructure and operations. A description of each area is provided. The numbered items indicate the allowable use of funds as indicated in 18003(d) of Division B of the CARES Act.

The LEA will utilize ESSER funds in the areas marked below: (Please check all that apply or indicate Yes or No by each area).

X FOOD SECURITY

Many districts continued to provide meals to students during this emergency, utilizing different options to best meet the needs of the students, families and communities. It is expected that districts will continue to monitor the needs in their communities and make decisions about how they continue to operate food service programs to ensure food security. The ESSER funds may address district expenses in food service programs due to COVID-19 that have not been covered by other funds or reimbursements, and there may be ongoing costs for districts that continue to operate meal service during the summer and in preparation for the fall that should be considered.

1. Planning for and coordinating during long-term closures, including providing and delivering meals to eligible students.

X DIRECT STUDENT SUPPORT/CONTINUOUS LEARNING OPPORTUNITIES

Decisions for direct student support and continuous learning opportunities may include supplemental work days or contracted services that help prepare for the return to on-site instruction or days where students are actively under the supervision/instruction of personnel. Other types of support include, screening/formative/diagnostic assessment tools, interventions, preparation and testing for industry-recognized credentials, online learning modules, targeted summer programs, professional development, licenses for learning and simulation software, special population resources for at-risk students, mobile hands-on learning labs, and development of video lessons for skill attainment training. Districts should consider the learning needs of each child and the resources needed to address those needs.

1. Any activity authorized by the ESEA of 1965 reauthorized by the Every Student Succeeds Act, including the Native Hawaiian Education Act, the Alaska Native Educational Equity, Support, and Assistance Act, the Individuals with Disabilities Education Act (IDEA), the Adult Education and Family Literacy Act, the Carl D. Perkins

Career and Technical Education Act of 2006, or subtitle B of Title VII of the McKinney-Vento Homeless Assistance Act.

2. Providing principals and other school leaders with the resources necessary to address the needs of their individual schools.
3. Activities to address the unique needs of low-income children or students, children with disabilities (including compensatory services), English learners, racial and ethnic minorities, students experiencing homelessness, and children in foster care, including how outreach and service delivery will meet the needs of each population.
4. Providing mental health services and supports.
5. Planning and implementing activities related to summer learning and supplemental afterschool programs, including providing classroom instruction or online learning during the summer months and addressing the needs of low-income students, students with disabilities, English learners, migrant students, students experiencing homelessness, and children in foster care to address student learning needs exacerbated by school closures.

X TECHNOLOGY

During the long-term remote learning period, the value of appropriate technology and use of effective technology tools have become integral components of successful AML plans. Districts should consider technology that supports remote learning or AML that aligns with the district continuity of learning and operations plan (district support plan); this should be technology that supports blended learning models and enables students to learn from home and for teachers to teach essential standards. Technology that supports connectivity or adaptation of educational content to synchronous or asynchronous learning would be an appropriate consideration. Internet connectivity purchases should be compliant with the Child Internet Protection Act (CIPA). The use of ESSER funds for remote learning, which includes distance education as defined in ESEA section 8101 (14), so that students can continue learning during school closures should be considered priority. Purchases such as on-site computer labs, smart boards, etc. do not align with the priorities of the CARES Act.

1. 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, English learners, migrant students, students experiencing homelessness, children in foster care, and students with disabilities, which may include assistive technology, adaptive equipment, online learning platform, online curriculum, digital instructional materials, devices, behavioral supports for online environments, and professional development to support improved online instruction.

X SYSTEMIC PROCEDURES

Systemic procedures can be defined as actions or systems that the school district implements in response to the COVID-19 crisis, and for recovery efforts that contribute to the return to onsite instruction for students and staff.

1. Planning for and coordinating during long-term closures, including how to provide technology for online learning to all students, how to provide guidance for carrying out requirements under the Individuals with Disabilities Education Act (IDEA), and how to

ensure other educational services can continue to be provided consistent with all Federal, State, and local requirements.

2. Developing and implementing procedures and systems to improve the preparedness and response efforts of LEAs, including re-entry plans that support student and staff health screening programs, continuity of learning and operations plans (district support plan), and other processes for the transition of educators and students back to onsite learning.
3. Training and professional development for staff of the LEA on sanitation and minimizing the spread of infectious diseases.
4. Purchasing equipment and supplies to sanitize and clean the facilities of a LEA, including buildings operated by such agency, to support the transition of students back to onsite instruction, including materials to support safe interaction such as personal protective equipment (PPE) and health screening equipment.
5. Coordination of preparedness and response efforts of LEA with State, local, tribal, and territorial public health departments, and other relevant agencies, to improve coordinated responses among such entities to prevent, prepare for, and respond to coronavirus.
6. Other activities that are necessary to maintain the operation of and continuity of services in local educational agencies and continuing to employ existing staff of the local educational agency. LEAs will continue to pay employees and contractors to the greatest extent practicable based on the unique financial circumstances of the LEA. CARES Act funds will not be used for bonuses, merit pay, or similar expenditures, unless related to disruptions or closures resulting from COVID-19.

<i>Debbie Jones</i>	
SUPERINTENDENT NAME (printed) SUPERINTENDENT SIGNATURE	DATE
<i>Debbie Jones</i>	<i>5-18-2020</i>