

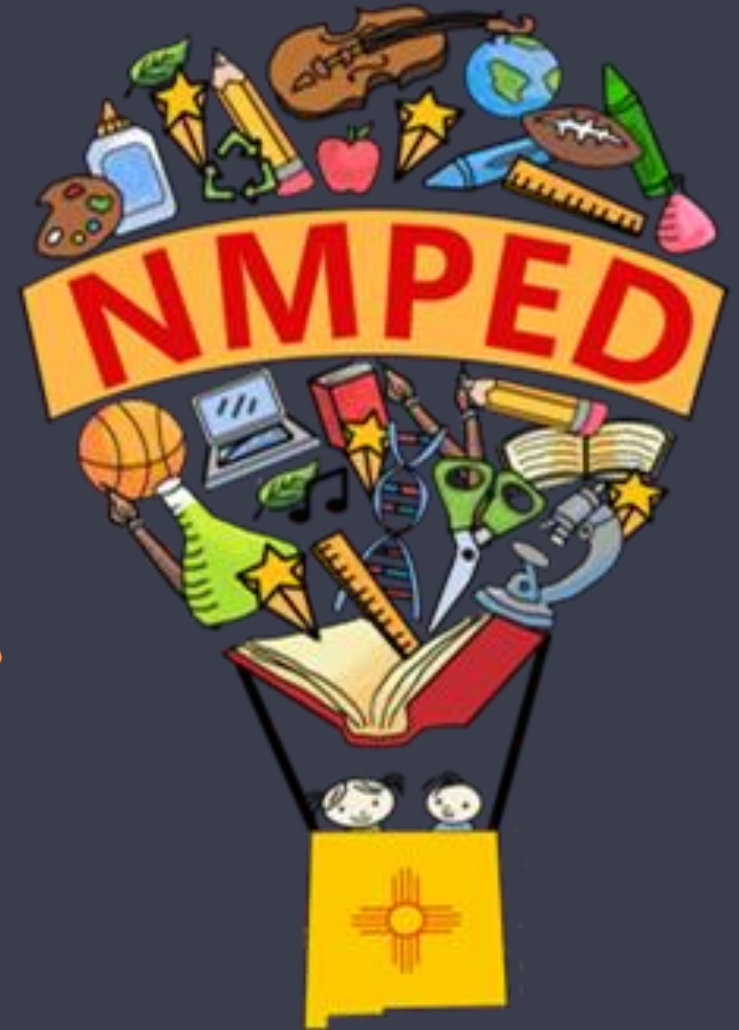
American Rescue Plan (ARP) Act ESSER III (90% LEA Awards)

Overview, Requirements, and Application

Student, School & Family Support Bureau

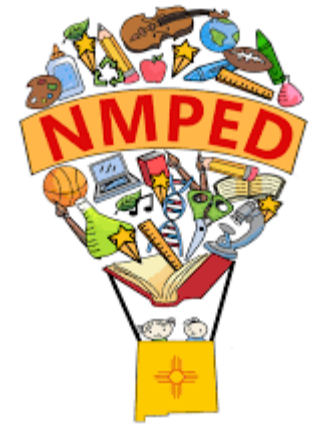
June 23, 2021

Investing for tomorrow, delivering today.



Agenda

- Overview of ARP ESSER III
 - Purpose
 - Funding timelines
 - New Provisions
 - Allowable uses of funds
 - Reporting
- ARP ESSER III Application
- Questions



Acronyms

ARP	American Rescue Plan Act of 2021
CARES	Coronavirus Aid, Relief, and Economic Security Act, 2020
CRRSA	Coronavirus Response and Relief Supplemental Appropriations Act, 2021
ESF	Education Stabilization Fund
ESSER	Elementary and Secondary School Emergency Relief (Fund)
LEA	Local Education Agency (Districts and State-chartered Charter Schools)
OBMS	Operating Budget Management System (PED)
SEA	State Education Agency
SSFS	Student, School & Family Support Bureau

COVID Relief Funding - NM

CARES Act - ESSER

- \$108,574,786 = Total to NM
- \$97,717,307 = 90% to LEAs based on Title I-A proportion

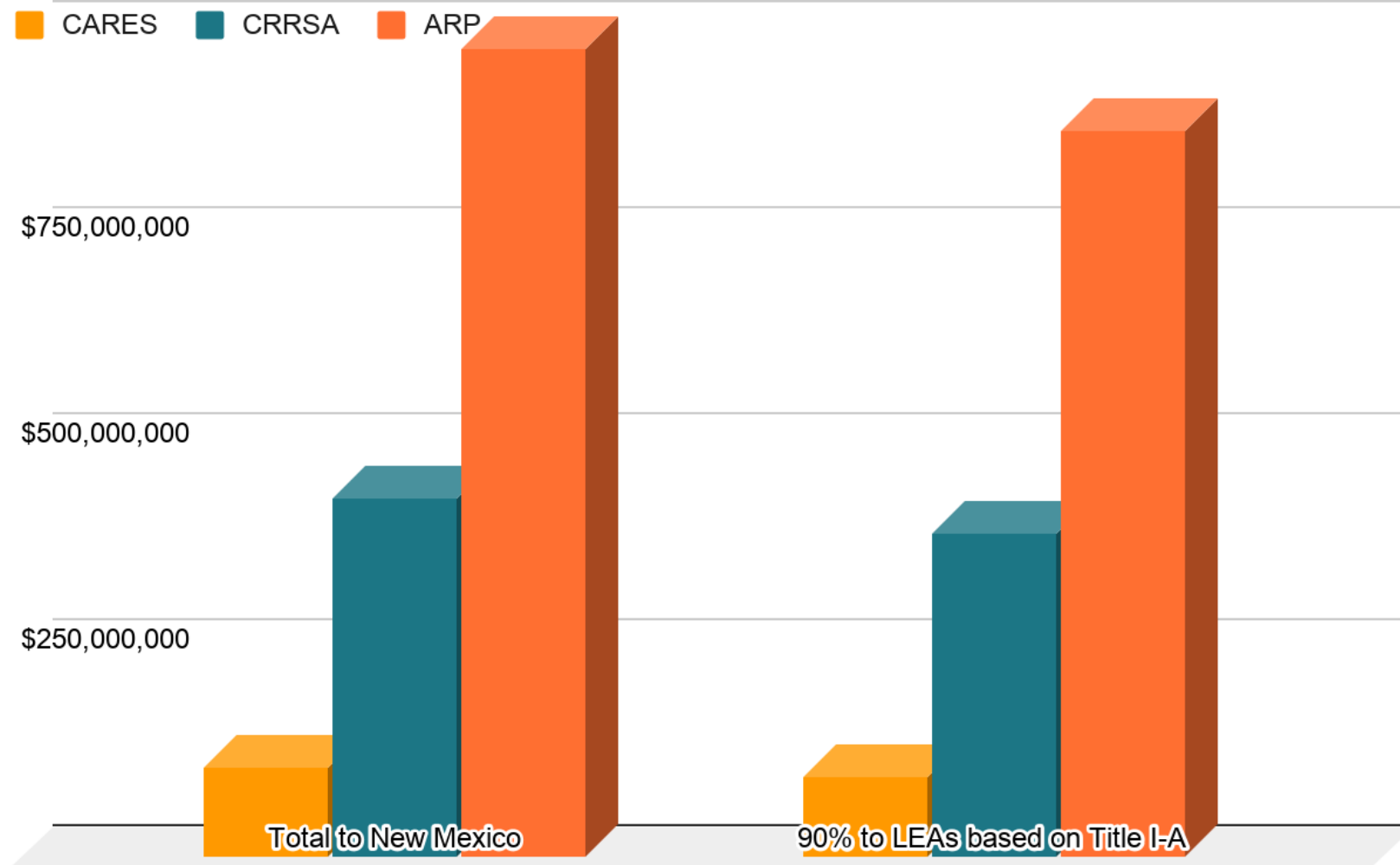
CRRSA Act - ESSER II

- \$435,938,638 = Total to NM
- \$392,344,774 = 90% to LEAs based on Title I-A proportion

ARP Act - ESSER III

- \$979,056,256 = Total to NM
- \$881,150,630 = 90% to LEAs based on Title I-A proportion

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COVID Relief Funding - Timelines

COVID Relief Funds Expenditure Timelines

- **Coronavirus Aid, Relief, and Economic Security (CARES) Act**
(Section 18003 of Division B of the CARES Act)
✓ **Spend by September 30, 2022**
- **Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act**
(Section 313 of Division M of the CRRSA Act)
✓ **Spend by September 30, 2023**
- **American Rescue Plan (ARP) Act**
(Section 2001 of the ARP Act)
✓ **Spend by September 30, 2024**

ARP ESSER III Award Timelines

ARP Funding Timelines

- **90% of the state's award to LEAs based on proportion of Title I-A funds received**
- **2/3 awarded May 24, 2021**
- **1/3 will be awarded after USDE approves NM's ARP Application**
- **Final award amounts will be determined after 2021-22 Title I-A final awards are calculated to account for new and significantly expanding state charter schools**
 - ✓ **(See Special Table)**

June 24, 2021 Requirements

By June 24, 2021

- ✓ **Post the LEA's existing Reentry Plan on the LEA's website**
 - **Must have solicited and incorporated public comment**
- ✓ **In the GEPA section of the ARP application, paste a link to the posted Reentry Plan**
- ✓ **Upload the signed ARP Supplemental Assurances document to the ARP ESSER III Application**
- ✓ **Check the checkbox in the GEPA section of the ARP application**

ARP ESSER III Purpose of Funds

Purpose of the funds as outlined in the ARP Act

- **To help schools to:**
 - Return safely to in-person instruction;
 - Maximize in-person instructional time;
 - Sustain the safe operation of schools; and
 - Address the academic, social, emotional, and mental health impacts of the COVID-19 pandemic on New Mexico's students.

ARP ESSER III District Details

Details for Districts

- **Address the needs of students in all district schools**
 - **Consider and address the needs of all students, including students who attend district-authorized charter schools**
 - **Address needs of students in Title I schools and non-Title I schools**
 - **Site allocations are not required**
 - **Equitable Services (to non-public schools) are not required**

ARP ESSER III – New Provisions

New Provisions of ARP (not in CARES or CRRSA)

- **Plan for Safe Return to In-person Instruction and Continuity of Services (2001(i))**
- **Reservation to address the academic impact of lost instructional time (2001(e)(1))**
- **Maintenance of Equity for high-poverty schools (2004(c))**
- **LEA plan for use of ARP ESSER funds--stakeholder input & LEA posting (interim final requirements)**

Plan for Safe Return

Plan for Safe Return to In-person Instruction and Continuity of Services (2001(i))

- ✓ Post plan to the LEA's website by June 24, 2021
 - ✓ Review the plan at least every six months and revise as appropriate, seeking public comment
 - December 24, 2021 is the date by which all plans must meet all ARP requirements
 - September 30, 2023 is the date this requirement expires
 - ✓ See [Supplemental Assurances ARP ESSER III Fund 24330](#) for details on plans developed prior to the enactment of ARP (March 11, 2021) and plans developed after ARP enactment
-
- PED will provide technical assistance on this ongoing requirement

20% Reservation

20% reservation to address the academic impact of lost instructional time

- Reserve from each award (2/3, 1/3, and final)
- Implement evidence-based interventions
- Must address the disproportionate impact of COVID-19 on specific student subgroups:
 - ✓ students from low-income families;
 - ✓ students of color;
 - ✓ children with disabilities;
 - ✓ English learners;
 - ✓ migratory students;
 - ✓ students experiencing homelessness; and
 - ✓ children and youth in foster care.

Maintenance of Equity

Maintenance of Equity for high-poverty schools

- As a condition of receiving ARP ESSER III funds, in FY 2022 or 2023 an LEA may not:
 - ✓ Reduce the combined state and local per-pupil funding for any high-poverty school by an amount that exceeds the total reduction in LEA state and local per-pupil funding for all schools served by the LEA.
 - ✓ Reduce the number of FTE staff per pupil in any high-poverty school by an amount that exceeds the total per-pupil reduction in the number of FTE staff in all schools served by the LEA.
 - ✓ A “high-poverty school” means a school in the highest quartile of schools served by an LEA based on the percentage of economically disadvantaged students served. More information on maintenance of equity will be forthcoming.
 - ✓ LEAs exempt from this provision:
 - Districts under 1,000
 - Single-attendance districts
 - State-chartered charter schools

LEA Plan (Application) for ARP

LEA Plan for use of ARP ESSER III funds

- Due August 24, 2021 (application deadline)
- Plan must include:
 - ✓ How the funds will be used to implement prevention and mitigation strategies consistent with CDC guidance
 - ✓ How the funds will be used to address the academic impact of lost instructional time
 - ✓ How the interventions will respond to social, emotional, mental health and academic needs of all students
- Development of plan must include meaningful consultation with stakeholders
- Plan must be posted on the LEA's website by August 24, 2021
 - ✓ Use Report feature in SharePoint to generate Application PDF
- Plan must be made available in a language parents can understand

Use of Funds: Allowability

Use of funds

Generally, in determining whether an activity is an allowable use of ESSER funds, an LEA must consider:

- Is the use of funds intended to ***prevent, prepare for, or respond to the COVID-19 pandemic, including its impact on the social, emotional, mental health, and academic needs of students?***
- Does the use of funds fall under one of the authorized uses of ESSER funds?
- Is the use of funds permissible under the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance, 2 CFR Part 200)? In particular, is it necessary and reasonable for the performance of the ESSER award?

Use of Funds: Existing Acts

Use of funds

- Any activity authorized by:
 - ESEA, including the Native Hawaiian Education Act and the Alaska Native Educational Equity, Support, and Assistance Act;
 - Individuals with Disabilities Education Act;
 - Adult Education and Family Literacy Act;
 - Carl D. Perkins Career and Technical Education Act of 2006; and
 - Subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (McKinney-Vento).
 - and . . .

Use of Funds: ARP (Slide 1 of 6)

Other Uses of funds

- **Coordination of preparedness and response efforts** of local educational agencies with State, local, Tribal, and territorial public health departments, and other relevant agencies, to improve coordinated responses among such entities to prevent, prepare for, and respond to coronavirus.
- **Providing principals and other school leaders with the resources necessary** to address the needs of their individual schools.
- **Activities to address the unique needs of low-income children or students**, children with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and foster care youth, including how outreach and service delivery will meet the needs of each population.

Use of Funds: ARP (Slide 2 of 6)

- **Developing and implementing procedures and systems** to improve the preparedness and response efforts of local educational agencies.
- **Training and professional development for staff** of the local educational agency on sanitation and minimizing the spread of infectious diseases.
- **Purchasing supplies to sanitize and clean** the facilities of a local educational agency, including buildings operated by such agency.
- **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 Individuals with Disabilities Education Act and ensuring other educational services can continue to be provided consistent with all Federal, State, and local requirements.

Use of Funds: ARP (Slide 3 of 6)

- **Purchasing educational technology** (including hardware, software, and connectivity) for students who are served by the local educational agency that aids in regular and substantive educational interaction between students and their classroom instructors, including low-income students and children with disabilities, which may include assistive technology or adaptive equipment.
- **Providing mental health services and supports**, including through the implementation of evidence-based full-service community schools.
- **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, children with disabilities, English learners, migrant students, students experiencing homelessness, and children in foster care.*

Use of Funds: ARP (Slide 4 of 6)

- **Addressing the academic impact of lost instructional time** among the local educational agency's students, *including low-income students, students with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and children and youth in foster care*, including by—
 - **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;
 - **implementing evidence-based activities** to meet the comprehensive needs of students;
 - **providing information and assistance to parents** and families on how they can effectively support students, including in a distance learning environment; and
 - **tracking student attendance and improving student engagement** in distance education.

Use of Funds: ARP (Slide 5 of 6)

- **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.
- **Inspection, testing, maintenance, repair, replacement, and upgrade projects to improve the indoor air quality** in school facilities, including mechanical and nonmechanical heating, ventilation, and air conditioning systems, filtering, purification and other air cleaning, fans, control systems, and window and door repair and replacement.
- **Developing strategies and implementing public health protocols** including, to the greatest extent practicable, **policies in line with guidance from the Centers for Disease Control and Prevention** for the reopening and operation of school facilities to effectively maintain the health and safety of students, educators, and other staff.

Use of Funds: ARP (Slide 6 of 6)

And . . .

- **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.

ARP ESSER III Intent/Purpose

Allowability summary:

In determining whether an activity is an allowable use of ESSER III funds, an LEA must consider:

- Is the use of funds intended to ***prevent, prepare for, or respond to the COVID-19 pandemic, including its impact on the social, emotional, mental health, and academic needs of students?***
- Is it an allowable use of funds under ARP?
- Is it reasonable and necessary?

Statewide Priorities

- **Closing the digital divide**
- **Accelerated instruction**
- **Supporting social and emotional needs**
- **Supporting the unique needs of students with disabilities and at-risk students**
- **Providing personal protective equipment**
- **Improving indoor air quality**

Reporting Requirements

Annual reporting on the use of funds required of all LEAs

- Some details provided in the assurances included with the application
- The U.S. Department of Education will release additional details in the future

Resources

US Department of Education ESSER FAQ May 2021

https://oese.ed.gov/files/2021/05/ESSER.GEER_FAQs_5.26.21_745AM_FINALb0cd6833f6f46e03ba2d97d30aff953260028045f9ef3b18ea602db4b32b1d99.pdf

24330 ARP Act/ESSER III Special Table Showing Total Interim Awards with 2/3 and 1/3 Breakdown

https://webnew.ped.state.nm.us/wp-content/uploads/2021/05/Special_Table_ARP_24330_Interim_Awards_with_two-thirds_one-third_amounts_052421.pdf

ARP ESSER III 24330 Interim Award Table

https://webnew.ped.state.nm.us/wp-content/uploads/2021/05/Exhibit_A_24330_ARPA_ESSER_III_FY21_INTERIM_Award_5.24.21.pdf

ARP Act/ESSER III Interim Award Memo

https://webnew.ped.state.nm.us/wp-content/uploads/2021/05/ARP_ESSER_III_Planning_Awards_Memo_24330_FINAL_052421.pdf

ARP ESSER Uses of Funds

<https://webnew.ped.state.nm.us/wp-content/uploads/2021/06/American-Rescue-Plan-ESSER-Uses-of-Funds-NM.pdf>

Link to ARP ESSER III SharePoint application

<https://eui.ped.state.nm.us/sites/ESEAConApp/ARP/SitePages/Home.aspx>

NMPED Student, School & Family Support Bureau (Title I) ARP links

<https://webnew.ped.state.nm.us/bureaus/title-i/>

ARP ESSER III: Application for Funds

- Access SharePoint application link:
<https://eui.ped.state.nm.us/sites/ESEAConApp/ARP/SitePages/Home.aspx>
- What's new in the ARP application compared to ESSER I and ESSER II:
 - ✓ Allocation is divided into 2/3 and 1/3 portions
 - ✓ LEAs will apply for the 2/3 now, and the 1/3 later
 - ✓ New modules:
 - 20% of allocation reserved to address loss instructional time
 - Allowable activities to address COVID 19 response efforts
 - Program consultation, including groups and dates
 - GEPA module, including a link to the LEA's posted Reentry Plan

The Student, School and Family Support Bureau is committed to providing technical assistance to help ensure your LEA is in compliance with federal requirements.

To find the name of your LEA's assigned bureau Education Administrator:

<https://webnew.ped.state.nm.us/wp-content/uploads/2021/03/LEA.RfR-assignment-list-03.19.21.pdf>