

## March 26 Task Force Meeting Pre-Read Materials

Dear Task Force members,

We look forward to seeing you all at this Friday's Task Force meeting. The agenda will be as follows:

3:00 to 3:05pm	Call to Order
3:05 to 3:15pm	Status Update on EANS I Application Process
3:15 to 3:45pm	Walkthrough of Plan for Task Force EANS I Application Review
3:45 to 4:00pm	Update on ESSER II Application Process & Reporting

The pre-read summary and materials included in this email capture key changes made to the ESSER application and reporting process since our last meeting.

### **ESSER II Application and Reporting Process**

As described in last week's Task Force memo, there will be **three ESSER data collection mechanisms** to enable the Task Force and KSDE to understand where ESSER funding has gone to-date, and where it will go moving forward:

- **Reporting of past expenditures** – districts will be required to submit cumulative reports of their ESSER expenditures to date on a monthly basis, including descriptions of the expenditures made and how those expenditures directly addressed a COVID-19 need. **The first report will require districts to provide all past ESSER expenditures through March 31 and will be due by April 16**
- **ESSER II applications** – districts will be required to submit an application that includes an account-level budget by state fiscal year before beginning to draw down ESSER II funds. Plans do not need to cover the entire duration or

allocated amount for ESSER II; new or updated plans may be submitted at a later date

- **ESSER II change requests** – if any material changes to initially-submitted plans are needed over time, districts will be required to submit a brief request form to KSDE and/or the Task Force for approval; further details on the change request process will be shared in the coming weeks

**KSDE is planning to launch the first past expenditure report and ESSER II application materials for submission today (March 24).** These materials are included in this pre-read package along with an ESSER II FAQ document intended to answer questions districts and the Task Force may have on this data collection process – they can also be found on the [KSDE ESSER page](#).

**Included in this packet:**

- Past Expenditures Reporting Questions
- Past Expenditures Reporting Excel Template
- ESSER II Application Questions
- ESSER II Application Excel Template
- ESSER II Frequently Asked Questions

# MINUTES



## Commissioner's Task Force on ESSER II and EANS Distribution of Money

Friday, March 12<sup>th</sup>, 2021

### CALL TO ORDER

Chair Jim Porter called the weekly meeting of the Commissioner's Task Force to order at 3:00p.m. on Friday, March 12<sup>th</sup>, 2021. The meeting was conducted via video conference and was live streamed for the public to observe and listen.

### APPROVAL OF AGENDA

Adam Thomas made a motion to approve the agenda for the March 12<sup>th</sup> meeting, and Bert Lewis had seconded it. Motion passed (19-0).

**MOTION**  
(00:10:10)

### ATTENDANCE:

All Task Force members attended by video conference:

Jim Porter	Roberta Lewis
Janet Waugh	Frank Harwood
Pat Pettey	Tracy Callard
Adam Thomas	Jason Winbolt
Simeon Russell	Brad Bergsma
Lisa Peters	Janet Eaton
Mike Argabright	Nick Compagnone
Jamie Rumford	Adam Proffitt
Alicia Thompson	Melissa Rooker

### APPROVAL OF MARCH 5<sup>TH</sup> MINUTES

Jamie Rumford made a motion to approve the minutes from the March 5<sup>th</sup> meeting, and Adam Thomas had seconded it. Motion passed (19-0).

**MOTION**  
(00:10:50)

## STATUS UPDATE ON EANS PROCESS – Tate Toedman

(00:11:19)

Tate Toedman stated that at this point, the application has been created in preparation of the upcoming launch, the service center menu (also known as the catalog) has been developed, platform identified (Kansas CommonApp), and lastly the FAQ application sheet and excel template have been developed. Tate mentioned the pre-launch activities that have been planned to help schools prepare for the application, which include the activities the following:

- Webinar held on 03/11 for non-public schools; recorded and will be posted here when closed captioning has been added - [Title Services \(ksde.org\)](https://www.ksde.org)
- School FAQ in development, including examples of each allowable use.
- Application materials inc. budget template available online for preview.

He also discussed that the launch timeline has been shifted to provide private schools more time to prepare their applications. The EANS Application due date will now be April 2<sup>nd</sup>, 2021 (due date was originally March 26<sup>th</sup>). The EANS application will now launch on March 22<sup>nd</sup> which will be in line with the federal 30-day limit. The final deadline for the EANS application will be 11:59pm on April 2<sup>nd</sup>, and then the first batch of EANS applications will be prepared for review by the Task Force on April 9<sup>th</sup>, 2021. The Kansas State Board of Education will have a special meeting on April 19<sup>th</sup>, 2021 to approve EANS applications.

Tate discussed the revised timeline to the Task Force once more, emphasizing that the webinar occurred on March 11<sup>th</sup>. Other items that were mentioned in the timeline were EANS office hours which will include a zoom for private schools to ask any questions they may have to KSDE staff.

## ESSER OVERVIEW – Commissioner Watson

(00:20:43)

Commissioner Watson started off the discussion by stating that there are now three ESSER funding mechanisms, as ESSER III was most recently passed. He mentioned the Task Force will mainly focus on ESSER II and EANS at this time, but the Task Force will eventually move their focus to ESSER III and EANS II.

Commissioner Watson then mentioned that ESSER II has multiple components; almost \$370 million in total funds allocated to Kansas. 90% of these funds will directly flow to the school districts. There is a minimum LEA distribution (\$332.8 million) as it is federally mandated which will be allocated through the Title I formula.

- LEA “True Up” – Ensures all districts receive at least \$300 per student (\$11.5 million).
- Special Education – Additional set-aside for LEAs split across 2021-22 and 2022-23 (\$24 million).
- Schools for the Deaf and Blind – set aside as schools do not receive funds through LEA distributions (\$0.2 million).
- SEA Administration – (KSDE Administration) \$1.8 million

*Kansas leads the world in the success of each student.*

## ESSERAPPLICATION LAUNCH PROCESS AND TIMELINE – Doug Boline

(00:34:33)

Doug Boline first described the timeline that has been set for the ESSER II applications. The timeline for the ESSER II applications will be the following:

- ESSER II/CommonApp Webinar (date of webinar is undetermined)
- 03/17 - ESSER II Application Launch
- 03/24 – ESSER II Office Hours

The cadence for ESSER II Application reviews will be:

- KSDE will screen applications submitted on a first-come, first serve basis.
- KSDE will share the pre-screened applications with the Task Force on Wednesdays as pre-read
- Bulk of ESSER II applications will be reviewed by the Task Force beginning on 04/16 following review of the EANS applications (which will be the focus on the 04/02 and 04/09 Task Force meetings).

Doug emphasized that the same lines of communication for the EANS applications will be the same for ESSER II applications such as webinars, feedback, office hours, fact sheet/frequently asked questions sheet will be created for easy review, etc.

## ESSERAPPLICATION QUESTIONS AND REVIEW PROCESS – Doug Boline

(00:36:43)

Doug Boline then mentioned that the ESSER II applications should enable the Task Force to the following:

- Understand the impact of COVID-19 on the district and its students and the resulting needs to be addressed.
- Understand where prior federal COVID-19 funding for public K-12 education went and what it accomplished.
- Evaluate the district’s plan to use ESSER II to address COVID-19 needs and measure impact.
- Begin to gather data on ESSER expenditures on a regular basis in a way that captures the level of detail required for federal reporting and state oversight while minimizing district burden where possible.

Doug went over the oversight details in which the Task Force must ensure that the uses of funds a district is requesting is necessary, allowable, and reasonable. He mentioned that the ESSER II application aims to gather information critical to ensuring use of funds are necessary, allowable, and reasonable.

**CONTINUED- ESSER APPLICATION QUESTIONS AND REVIEW PROCESS– Doug Boline**

Doug mentioned that there will be a spreadsheet for districts to fill out similar to EANS. The application for ESSER II will require expenditure-level data to enable the Task Force to make informed decisions.

**ESSER III & EANS II UPDATE– Commissioner Watson**

(00:47:27)

Commissioner Watson wanted to briefly discuss ESSER III and EANS II with the Task Force, as it passed recently and has been signed by President Biden. ESSER II and ESSER III will be very similar to one another, although the timeline in which the funds must be used is 2024 (instead of 2023 for ESSER II).

EANS II is anticipated for a similar amount as EANS I. With EANS II, there will be a tight time frame but schools will not be able to be reimbursed for expenditures that happened in the past (as they were with EANS I).

Dean Zajic mentioned that if expenditures are not being spent as the district anticipated, then the KSDE will reach out to the district and try to help them resolve any unspent funds.

**ADJOURNMENT** - Chairman Porter adjourned the meeting at 3:52pm. The next meeting will occur on Friday, March 26<sup>th</sup> at 3:00pm.

(01:01:57)



# 15 Authorized Uses for ESSER II Funds

AUTHORIZED USES FOR ESSER II FUNDS	EXAMPLES
<p>1. <b>Any activity authorized by the ESEA of 1965</b>, including the Native Hawaiian Education Act and the Alaska Native Educational Equity, Support, and Assistance Act (20 U.S.C. 6301 et seq.), the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) (“IDEA”), the Adult Education and Family Literacy Act (20 U.S.C. 1400 et seq.), the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.) (“the Perkins Act”), or subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.)</p>	<ul style="list-style-type: none"> <li>• Expand Title 1 Program for learning loss.</li> <li>• Add staff to lower class sizes for COVID-related safety. (Cohorting, increasing physical space, etc.)</li> <li>• Create additional family engagement activities – surveys, etc. to provide feedback for program development. (Making connections outside of school hours.)</li> <li>• Establish a safe in-person environment for a limited number of students most in need of in-person support, even while most of the district may be remote.</li> <li>• Provide personal protective equipment and other resources to safely, send teachers to work with students in the home, when appropriate.</li> </ul>
<p>2. <b>Coordination of preparedness and response efforts</b> of local educational agencies with State, local, Tribal, and territorial public health departments, and other relevant agencies, to improve coordinated responses among such entities to prevent, prepare for, and respond to coronavirus.</p>	<ul style="list-style-type: none"> <li>• Assign staff to attend coordinating meetings.</li> <li>• Meet regularly with county health officials and emergency management staff.</li> <li>• Share resources and facilities with county health officials and emergency management staff.</li> </ul>
<p>3. Providing principals and others school leaders with the <b>resources necessary to address the needs of their individual schools.</b></p>	<ul style="list-style-type: none"> <li>• Provide professional development on leading during a pandemic, addressing learning loss, etc.</li> <li>• Provide professional development on addressing mental health for staff and students.</li> <li>• Provide health care training for administrators and school leaders.</li> <li>• Develop remote learning strategies.</li> <li>• Provide training for communicating with parents, staff, and students during remote learning.</li> </ul>

AUTHORIZED USES FOR ESSER II FUNDS	EXAMPLES
<p>4. <b>Activities to address the unique needs of low-income children or students</b>, children with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and foster care youth, <b>including how outreach and service delivery will meet the needs of each population.</b></p>	<ul style="list-style-type: none"> <li>• Locate disengaged students and make sure they have access to education.</li> <li>• Connect families with community resources.</li> <li>• Translate materials for families.</li> <li>• Establish a safe in-person environment for a limited number of students most in need of in-person support, even while most of the district may be remote. Hold classes at different hours of the day to accommodate unusual family schedules.</li> <li>• Provide meals (sack lunches) for students who cannot safely come to school.</li> </ul>
<p>5. Developing and implementing <b>procedures and systems to improve the preparedness and response efforts</b> of local educational agencies.</p>	<ul style="list-style-type: none"> <li>• Pay staff for time outside of their contract to develop and implement necessary procedures in response to a health emergency, i.e. health protocols, mitigation of virus, cohorting procedures.</li> </ul>
<p>6. <b>Training and professional development for staff</b> of the local educational agency on sanitation and minimizing the spread of infectious diseases.</p>	<ul style="list-style-type: none"> <li>• Bring in health departments and other community health professionals to provide professional development on mitigation efforts, training on how to use tools/ technology, etc.</li> <li>• Train all school staff on appropriate sanitation.</li> <li>• Share school staff training with staff from other agencies such as hospitals, nursing homes, businesses, retail stores, etc.</li> <li>• Share school sanitation protocol training with parents.</li> </ul>
<p>7. <b>Purchasing supplies to sanitize and clean the facilities</b> of a local educational agency, including buildings operated by such agency.</p>	<ul style="list-style-type: none"> <li>• Purchase additional supplies or specialty equipment necessary to mitigate the virus within school buildings.</li> <li>• Purchase personal protective equipment; face masks, shields, gowns, gloves, etc.</li> </ul>
<p>8. <b>Planning for, coordinating, and implementing activities during long-term closures</b>, 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 educational services can continue to be provided consistent with all Federal, State, and local requirements.</p>	<ul style="list-style-type: none"> <li>• Provide for the excess costs associated with nutritional services – delivery, additional distribution locations, additional sanitation protocols/equipment.</li> <li>• Provide remote learning sites, internet hotspots, etc.</li> <li>• Provide meals (sack lunches) for students who cannot safely come to school.</li> <li>• Provide training for parents, staff, and students on use of technology.</li> <li>• Provide training for parents, staff, and students on remote learning practices and strategies.</li> </ul>

AUTHORIZED USES FOR ESSER II FUNDS	EXAMPLES
<p><b>9. Purchasing educational technology</b> (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.</p>	<ul style="list-style-type: none"> <li>• Purchase additional technology such as tablets, laptops, screen readers etc. for remote teaching and remote learning.</li> <li>• Increase broadband for schools.</li> <li>• Purchase offsite internet security software to protect students and equipment.</li> <li>• Hire IT staff to implement and support additional technology.</li> <li>• Provide mental health services and supports.</li> </ul>
<p><b>10. Providing mental health services and supports.</b></p>	<ul style="list-style-type: none"> <li>• Contract with mental health agencies to provide counseling, social services, and access to mental health professionals for staff and students in response to COVID-19.</li> <li>• Provide professional development for counselors and social workers.</li> <li>• Develop and implement early warning systems/screeners to identify staff and student mental health needs.</li> <li>• Work with local mental health professionals to train school staff on mental health issues to watch for in students, staff, and parents; as well as how to respond appropriately.</li> </ul>
<p><b>11. Planning and implementing activities related to summer learning and supplemental after school programs</b>, 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.</p>	<ul style="list-style-type: none"> <li>• Cover additional salaries/expenses for staff, utility bills, etc. associated with summer extended learning.</li> <li>• Cover expenses associated with providing student transportation to summer learning programs.</li> <li>• Cover expenses associated with additional learning materials to address specific needs created by or as a result of the pandemic.</li> <li>• Implement effective and impactful summer learning programs and after-school programs: Team teach, small classes, varied timeframes, curriculum tied to field trips and hands-on activities, multi-age student groupings, cross curricular instruction, etc.</li> </ul>

AUTHORIZED USES FOR ESSER II FUNDS	EXAMPLES
<p><b>12. Addressing learning loss among students</b>, including low-income students, children with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and children and youth in foster care, of the local educational agency, including by —</p> <ol style="list-style-type: none"> <li>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.</li> <li>Implementing evidence-based activities to meet the comprehensive needs of students.</li> <li>Providing information and assistance to parents and families on how they can effectively support students, including in a distance learning environment.</li> <li>Tracking student attendance and improving student engagement in distance education.</li> </ol>	<ul style="list-style-type: none"> <li>Purchase screeners or assessments to help identify student learning loss.</li> <li>Provide tutoring services to students.</li> <li>Host parent camps – provide technology training, curriculum explanation/ training, etc.</li> <li>Extend the length of the school year. Add more breaks if necessary.</li> <li>Purchase curriculum targeted toward areas in which students have fallen behind.</li> </ul>
<p><b>13. School facility repairs and improvements</b> to enable operation of <b>schools to reduce risk of virus transmission and exposure to environmental health hazards</b>, and to support student health needs.</p>	<ul style="list-style-type: none"> <li>Install plexiglass dividers and shields for classrooms, libraries, cafeterias, etc.</li> <li>Replace non-opening windows with windows that open.</li> <li>Contract an audit of district, pandemic safety protocols.</li> <li>Create signage related to pandemic safety protocols, i.e. one-way traffic flow in cafeteria, library, etc.</li> <li>Remodel space to create more classrooms to allow smaller, socially distanced class sizes.</li> <li>Lease space in community buildings to allow smaller, socially distanced class sizes.</li> </ul>

AUTHORIZED USES FOR ESSER II FUNDS	EXAMPLES
<p>14. Inspection, testing, maintenance, repair, replacement, and upgrade <b>projects to improve the indoor air quality in school facilities</b>, including mechanical and non-mechanical heating, ventilation, and air conditioning systems, filtering, purification and other air cleaning, fans, control systems, and window and door repair and replacement.</p>	<ul style="list-style-type: none"> <li>• Upgrade filtration/HVAC systems for better air flow and outdoor air circulation.</li> <li>• Contract for an audit of HVAC systems.</li> <li>• Improve air filtering systems</li> <li>• Add air purification systems</li> </ul>
<p>15. Other <b>activities that are necessary to maintain the operation of and continuity of services</b> in local educational agencies and continuing to employ existing staff of the local educational agency.</p>	<ul style="list-style-type: none"> <li>• Payments for already contracted services that can't be used due to the pandemic – i.e. school bus services.</li> <li>• Payments of salaries for staff whose duties can't be performed when schools are in remote learning environments.</li> <li>• Payment of salaries for staff who are afflicted by COVID or underlying health conditions that prohibit them from working and the staff member has no remaining sick leave – hazard pay.</li> <li>• Payments for additional staff duties or risks that are due to additional COVID-19 related duties. <b>NOTE: Bonuses are explicitly prohibited.</b></li> <li>• Payment for substitute teachers necessary due to staff members being quarantined.</li> <li>• Hire additional nurses, custodians, counselors, social workers, teachers, cooks, IT staff. All additional staff must be related to needs caused by COVID.</li> </ul>

For more information, contact:

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## Commissioner's K-12 Relief Funds Task Force

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**Task Force Meeting**  
March 26, 2021

*Kansas leads the world in the success of each student.*

### 3/26 Task Force agenda

3:00 to 3:05pm	Call to Order
3:05 to 3:15pm	Status Update on EANS I Application Process
3:15 to 3:45pm	Walkthrough of Plan for Task Force EANS I Application Review
3:45 to 4:00pm	Update on ESSER II Application Process & Reporting



## Status Update on EANS I Application Process



**EANS status update:**  
application and resources launched; dozens of applications currently in progress

### **Application launched on Monday, 3/22**

Materials posted on KSDE website include:

- Link to application in Kansas CommonApp
- Hard copy of application instructions and questions (PDF)
- Application budget request template (Excel)
- Instructions to apply for a school building number
- Service Center product & services menu
- Frequently Asked Questions
- Fact sheet with examples for each EANS allowable use category

### **Multiple virtual events hosted to help schools navigate the application process**

- Webinar and Q&A on Thursday, 3/11 (recorded and posted online)
- Office Hours on Tuesday, 3/23
- Office Hours on Friday, 3/26
- Email address ([eans@ksde.org](mailto:eans@ksde.org)) monitored for applicant questions

**Two applications submitted to date; 50+ applications currently in progress**



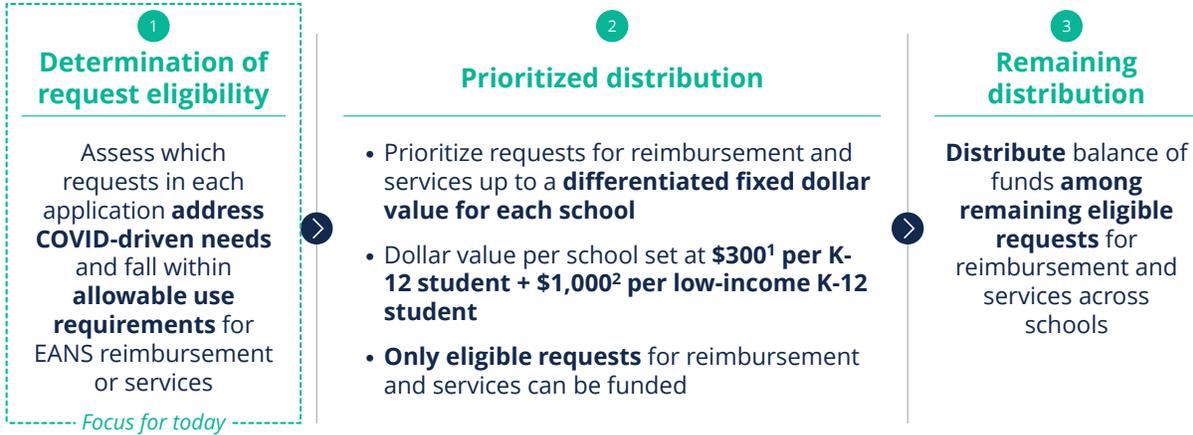
# EANS timeline: final rec's at 4/19 KSBOE

EANS activities

Key activities and milestones		
Mar 1-5	KSDE develops application and proposed screening/review process; gathers early application input from non-public school stakeholders; schedules webinars	<b>3/5:</b> Task Force aligns on EANS app and review process
Mar 8-12	<b>3/8: EANS Pre-Launch</b> - Draft EANS application available to schools	★ EANS/CommonApp webinar
Mar 15-19		
Mar 22-26	<b>3/22: Official EANS Launch</b> - EANS application available for submission	★ 3/23: EANS Office Hours ★ 3/26: EANS Office Hours
Mar 29-Apr 2	KSDE conducts additional school reach out to ensure on-time submission	<b>4/2:</b> Updated EANS app submission deadline
Apr 4-9	KSDE screens applications and prepares summary outputs for Task Force review	<b>4/9: EANS Review:</b> Task Force reviews initial batch of EANS apps
Apr 12-16	KSDE screens applications and prepares summary outputs for Task Force review	<b>4/16:</b> Task Force determines EANS approval recs
Apr 19-25	<b>April 19:</b> BoE approves Task Force-reviewed applications at special meeting →	<b>4/20:</b> Decisions communicated to schools

## Walkthrough of Plan for Task Force EANS I Application Review

## Recall | Proposed approach to prioritizing EANS funds



1. Suggest tentatively pegging minimum per-student EANS allocation to Kansas's ESSER II per-student minimum allocation for LEAs (\$300). With an estimated 40k students in Kansas non-public schools, this would allocate no more than \$12M of the \$26.7M in EANS funds  
 2. Suggest tentatively pegging the low-income-student allocation to cost a similar amount to the per-student minimum (\$12M - see footnote 1). With an estimated 30% of Kansas non-public school students coming from low-income families (12k students), this would result in \$1,000 per student



## Upcoming TF meetings will focus on reviewing KSDE rec's and aligning on distribution prioritization if needed

Agenda item	4/2	4/9	4/16
0 Status update	Limited number of applications reviewed	Majority of applications reviewed	Remaining applications reviewed
1 Verification of request eligibility	Application summaries and select dossiers presented by KSDE; request eligibility recommendations voted on by Task Force		
2 Assessment of prioritized distribution	[TBD]		
3 Proposition for remaining fund distribution	Addressed only if there are not sufficient funds to fulfill all eligible requests		
Meeting outcome	Eligibility determinations for a subset of applicants	Eligibility determinations for most applicants; preliminary prioritization of EANS I funds	Finalized recommended prioritization and allocation of EANS I funds



# Weekly EANS application status update will consist of four components

Illustrative example on following pages



Number of applications submitted and reviewed



Profile of nonpublic schools that have applied to date



Total value of requests and eligible requests relative to available EANS I funds



Aggregated view of eligible requests according to KSDE's initial review

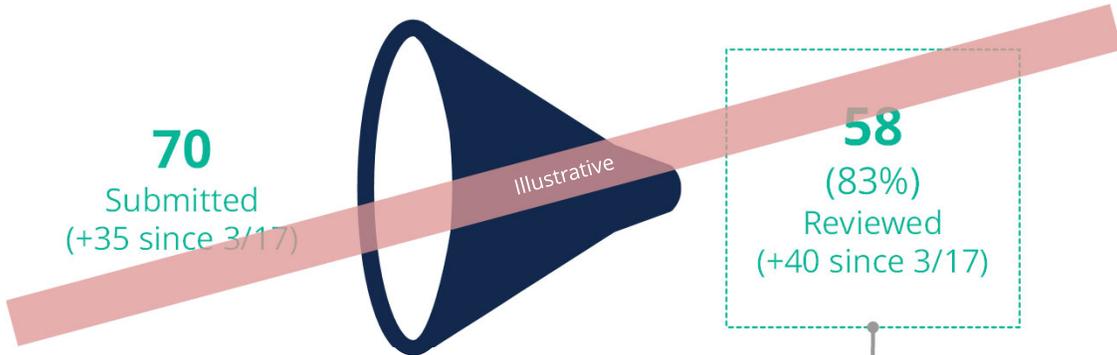
Note: Aside from number of applications submitted, status update data will only include applications that have been reviewed



# Illustrative | Number of applications submitted and reviewed

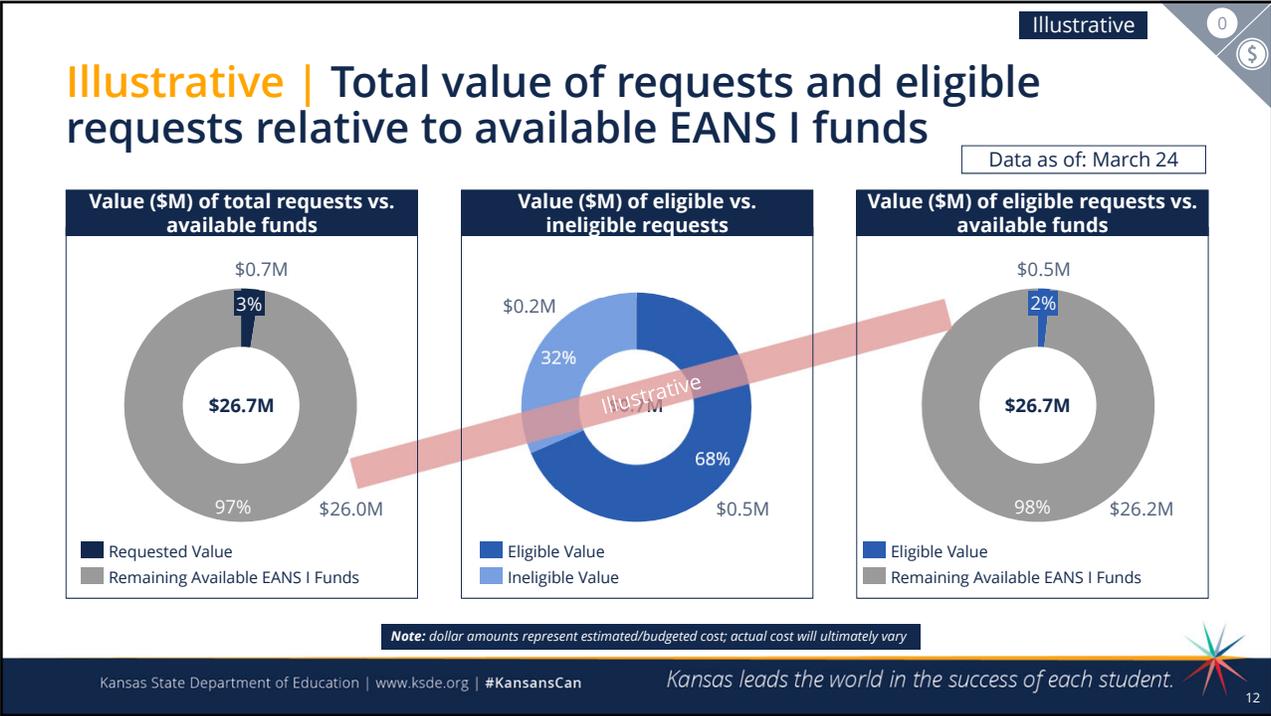
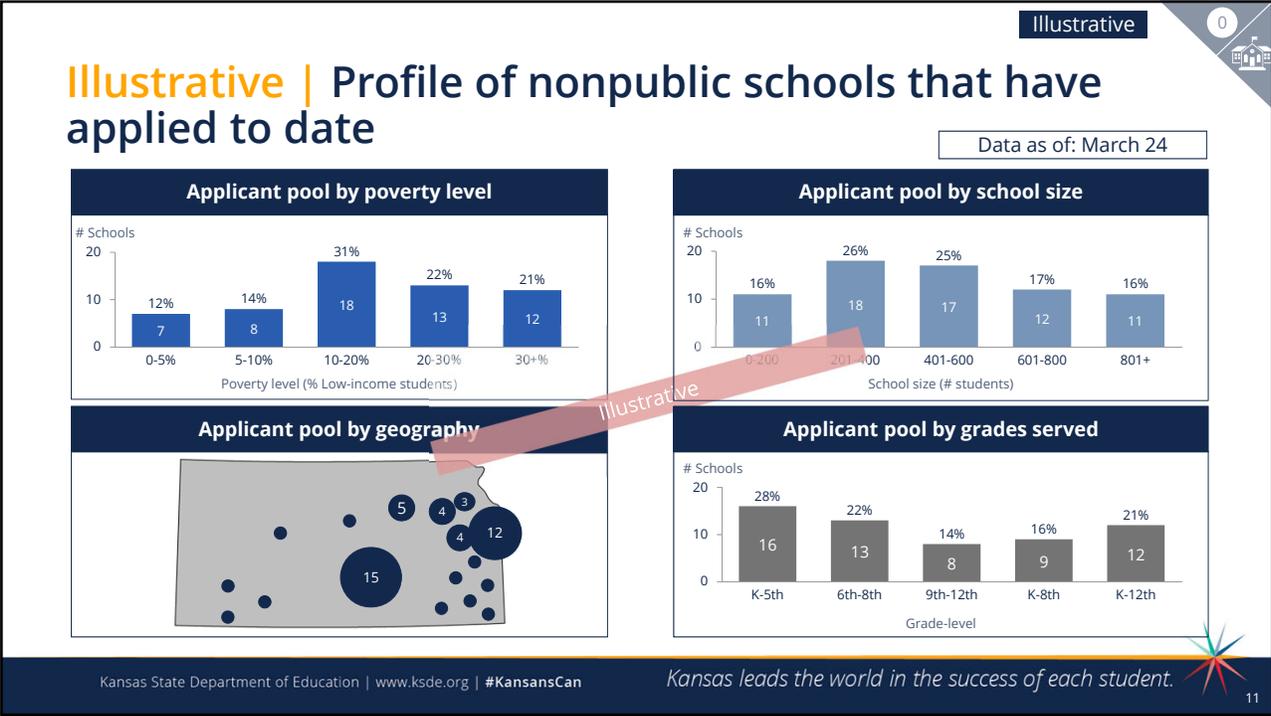
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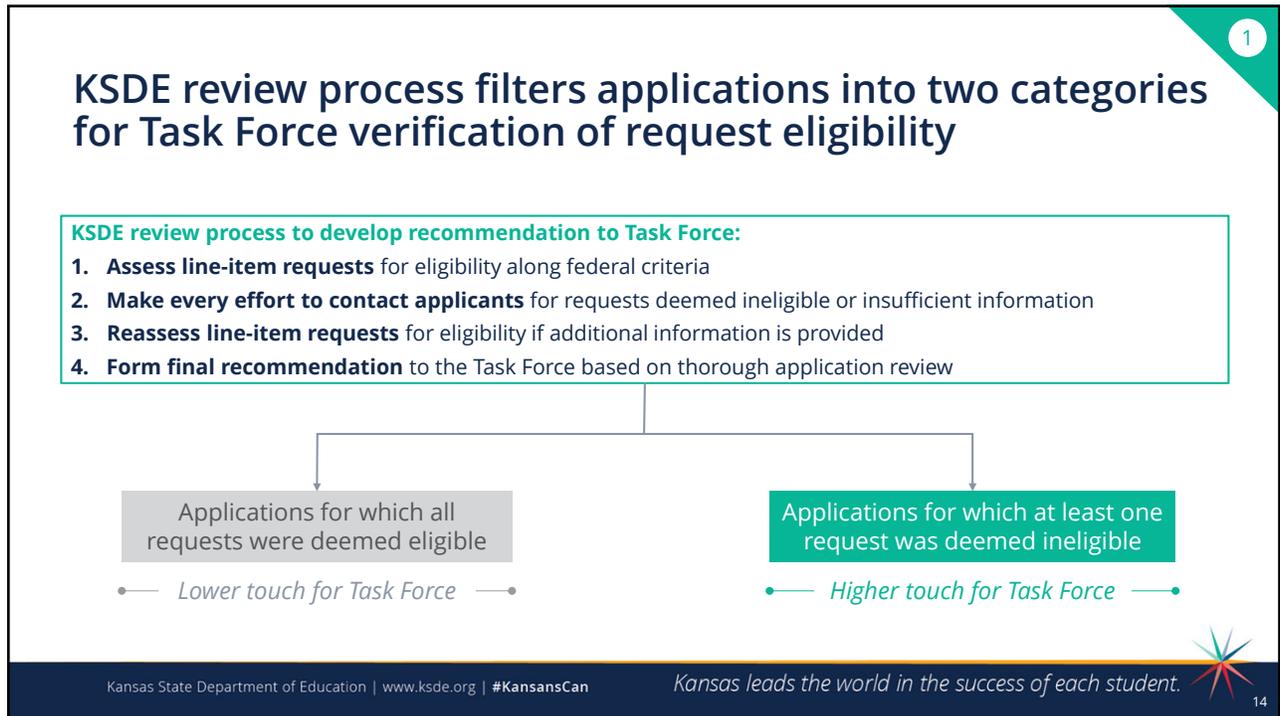
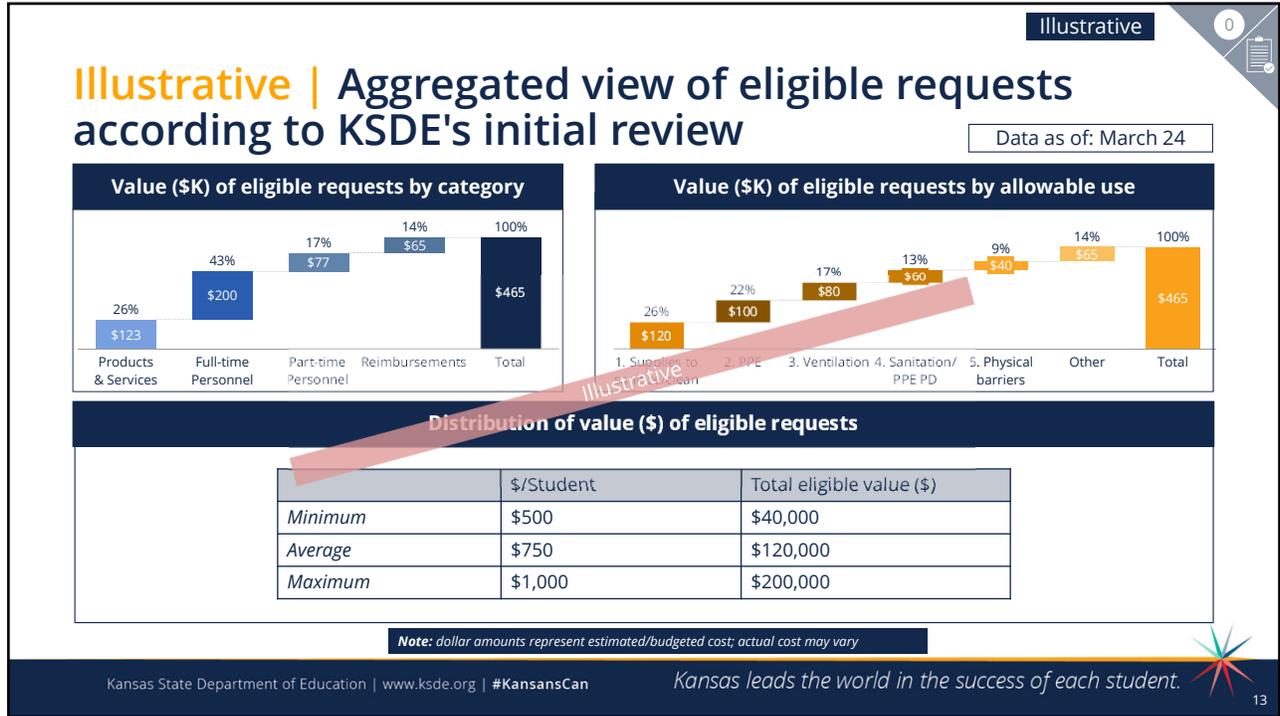
Data as of: March 24



The following data will reflect only those applications that have been reviewed to date







1

# Task Force will have access to all reviewed apps; those with ineligible requests will be presented individually

Pre-read material for each meeting

- PDF of each reviewed application (CommonApp)
- Compiled list of all line-item requests with KSDE eligibility determination sorted by application (Excel)

## Applications for which all requests were deemed eligible

- **Summary-level information is presented during Task Force meeting** with a list of school names and the total value of services, products, and support requested
- **Recommendation across batch of schools** is voted on by Task Force

## Applications for which at least one request was deemed ineligible

- **Applications are presented individually** in the form of a brief dossier by a KSDE staff member
  - School profile info & summary of requests
  - Line-by-line review of ineligible requests
- **Recommendation for each school** is voted on by Task Force

*Note: eligibility does not necessarily imply that the request will ultimately be funded; depends on availability of funds*

Illustrative

1

# Application dossier template | Application overview

## Applicant Profile

School	School A
Building number	1234
City	Topeka
Number of students	150
Percent low-income	8%
Requested value	\$2.0M
Recommended eligible value	\$1.2M
% recommended eligible requests	60%

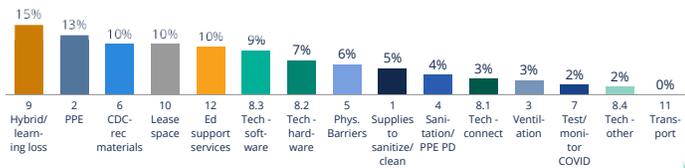
## COVID-19 Impact Excerpt

We **lost tuition** and **donations went down**. We have seen **learning loss** of students not being in school in the spring. Some of our students had learning loss due to **connectivity issue** when we were in a remote and hybrid situation. We were not able to raise as much funding in our spring fundraiser because we could not have an in-person event. In 2019 we raised \$120,500, in Spring of 2020 we **only raised \$63,250** on the virtual fundraiser that helps provide additional needs for our **young learners**. We have **7 English Learners** that being **remote and hybrid** have caused them even more learning loss as it added an extra dimension to some of their language difficulties.

## % Value of Eligible Requests by Category



## % Value of Eligible Requests by Allowable Use



*Note: dollar amounts represent estimated/budgeted cost; actual cost may vary*

Illustrative

1

# Application dossier template | Ineligible requests

**Ineligible Requests - Total value: \$0.8M**

Dollar value of request	Category	Allowable use	What was requested	Description of how requested item relates to COVID-19 impact	Rationale for ineligibility
\$10,000	Part-Time Personnel	7. Test/monitor COVID	Nurse	An additional nurse will help monitor student health to ensure COVID-19 symptoms are identified early	Missing application information
\$80,000	Full-Time Personnel	9. Hybrid / learning loss	Certified teacher	One student will need additional assistance due to learning loss of COVID-19 remote learning	Number of certified teachers was not reasonable
\$300,000	Full-Time Personnel	9. Hybrid / learning loss	Certified teacher	One additional teacher is needed to assist with students who have experienced learning loss due to COVID-19 remote learning	Salary referenced was not reasonable
\$8,000	Reimbursement	4. Sanitation / PPE	Protective gowns	Our chemistry experiments would benefit from having additional PPE for the students	Not related to COVID-19 impact
...	...	...	...	...	...



## Update on ESSER II Application Process & Reporting



## ESSER status update: application launched; reporting requirements separated from application process

### Application launched on Wednesday, 3/24

Materials posted on KSDE website include:

- Link to application and reporting in Kansas CommonApp
- Hard copy of application/reporting instructions and questions (PDF)
- Application and reporting templates (Excel)
- District allocation numbers, including SPED allocations
- Frequently Asked Questions
- Fact sheet with examples for each ESSER II allowable use category

### Multiple virtual events in process to help districts navigate application and reporting processes

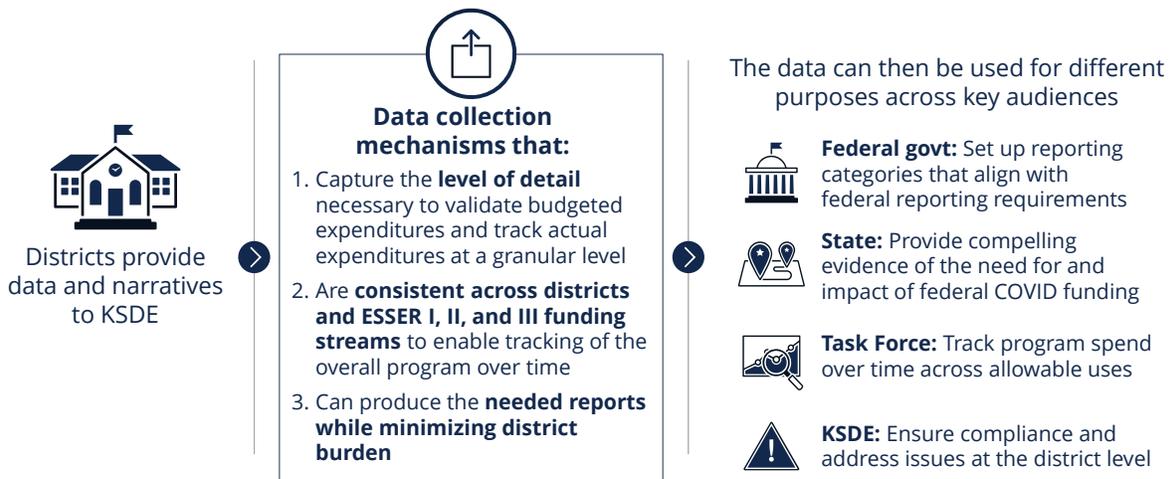
- Webinar and Q&A on Wednesday, 3/24 (recorded; will be posted online)
- 1-2 Office Hours to be scheduled over the next several weeks (TBD)
- Email address ([essser@ksde.org](mailto:essser@ksde.org)) monitored for district questions

### Planning and reporting broken out into three processes

- Reporting of past expenditures
- ESSER II applications
- Change requests



## Key considerations for ESSER reporting



# There are three distinct ESSER data collection mechanisms that will capture spend over time

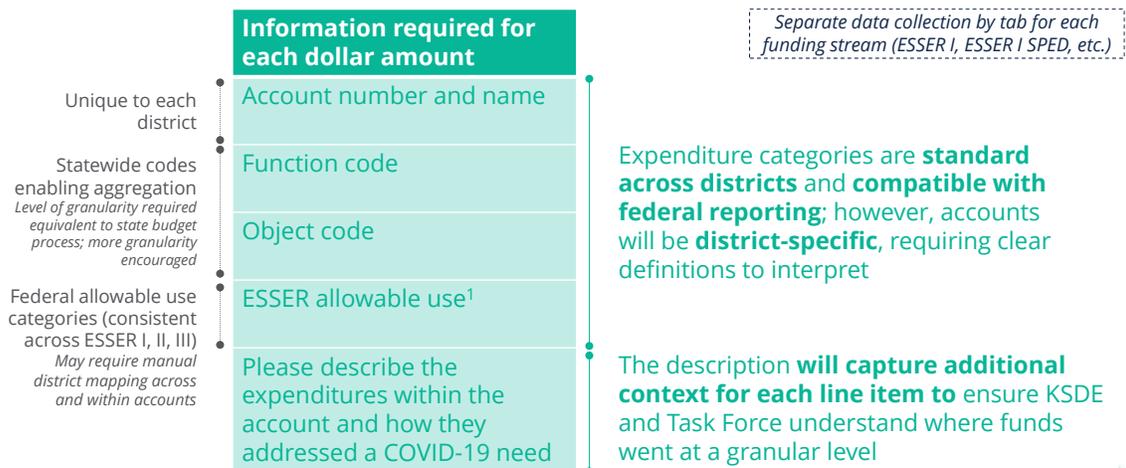


• Districts will also be required to complete narratives as part of submission •

<sup>1</sup> Initial reporting covers ESSER I spend to date; future reporting will also include ESSER II & III once those funds are being spent. <sup>2</sup> Initial application to cover part or all of ESSER II district allocation; ESSER II SPED allocations and ESSER III allocations will follow a similar process but commence at a later date once funds are available and allocations are finalized

1

# Quarterly ESSER reporting will capture spend in terms compatible with KSDE and federal reporting requirements



<sup>1</sup> Aligned across ESSER I, ESSER II, and ESSER III

2

## The ESSER II application will capture the plan for future ESSER II spend in a format consistent with reporting requirements

Columns consistent with the reporting template, **plus** Budget per State Fiscal Year to capture **intended use of funds over time**

### Information required for each dollar amount

Account number and name
Function code
Object code
ESSER allowable use <sup>1</sup>
Budget per State Fiscal Year
Please describe the expenditures within the account and how they address a COVID-19 need

Separate data collection by tab for each funding stream (ESSER II, ESSER II "true up," ESSER II SPED, etc.)  
**Note:** ESSER II SPED allocations not yet available

KSDE will advise districts to create accounts for ESSER II and III that are compatible with this expenditure categorization structure, enabling **swifter and cleaner data collection in future reporting**

<sup>1</sup> Aligned across ESSER I, ESSER II, and ESSER III



3

## ESSER II change requests will enable KSDE and the Task Force to continue overseeing district's plans as they change over time

Columns consistent with the reporting template, **plus** two new components to capture the **dollar amount changed** and **rationale**

### Information required for each ESSER II expenditure change requested

Account number and name
Function code
Object code
ESSER allowable use <sup>1</sup>
<b>New dollar amount</b> per State Fiscal Year
Please describe what has changed for this budgeted expenditure and why
Please describe the expenditures within the account and how they address a COVID-19 need

Separate data collection by tab for each funding stream (ESSER II, ESSER II SPED, etc.)

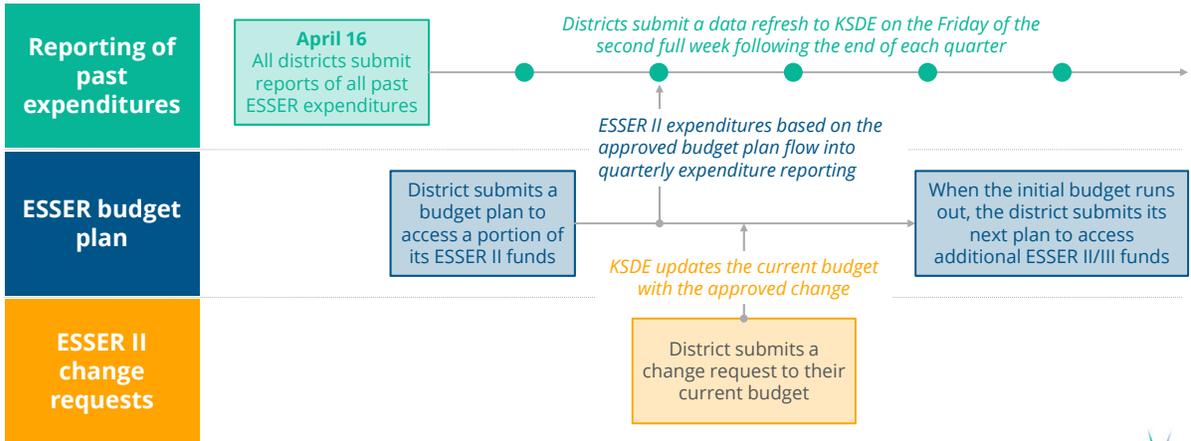
The change request template will require districts to complete rows **only for budgeted expenditures they wish to change** within their current approved plan

To be determined: What is the **threshold for plan changes** to require a change request? To be brought before the Task Force?

<sup>1</sup> Aligned across ESSER I, ESSER II, and ESSER III

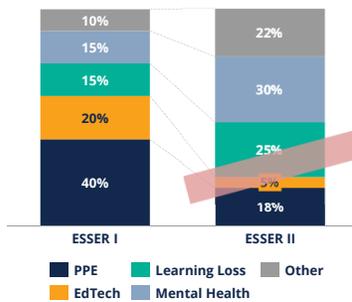


## Illustrative: ESSER reporting cadence

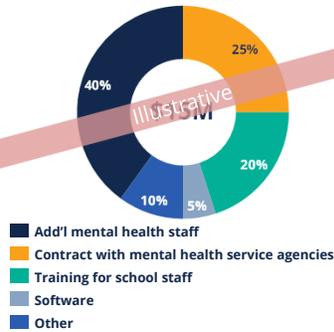


## Updating ESSER spend & budget data at account level on a regular basis will enable robust reporting

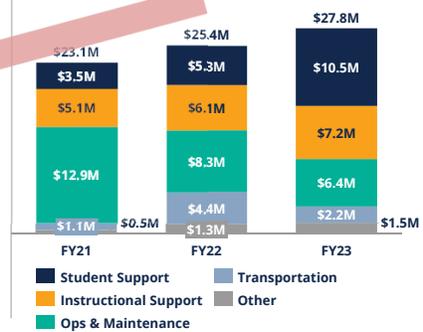
How has ESSER I spend differed from ESSER II spend by allowable use?



What have been the biggest mental health expenses funded through ESSER I?



What are districts' biggest planned ESSER II expenditures for FY21-23 by function?



Thank You



*Kansas leads the world in the success of each student.*

## **PAST EXPENDITURE REPORTING ON ELEMENTARY AND SECONDARY SCHOOL EMERGENCY RELIEF (ESSER) FUNDING**

To support the Kansas State Department of Education's (KSDE) oversight of the ESSER federal funding program, school districts are required to report on all past ESSER I expenditures, including direct district allocations and ESSER I special education funding (SPED). Districts should provide answers to the following questions and submit them alongside the completed reporting Excel template including expenditures as of March 31, 2021. Districts should submit this information to KSDE by **end of day on April 16, 2021**.

Moving forward, districts will be required to provide data refreshes of all past expenditures across ESSER funding streams to KSDE on a monthly basis, with reporting deadlines on the Friday of the second full week of every month (exact deadlines to be shared with districts monthly).

**Please note - all information and data reported is subject to public disclosure and may be reported to the Commissioner's Task Force in recorded public meetings.**

If any questions arise as you complete the questions or reporting template, please review our FAQ materials or reach out to the ESSER application team at [ESSER@KSDE.org](mailto:ESSER@KSDE.org).

**1. Full District Name** (Short text answer):

**2. District Number** (Short numeric response):

**3. Authorized Representative of the District**

- a. Name
- b. Position/Title
- c. Email address
- d. Phone number

**4. For First Report Only: Use of Prior Federal COVID-19 Funding |** Please summarize how the district has spent its ESSER I funding to date and the impact of the use of funds on students. The summary should also include a description of the use of the district's ESSER I SPED allocation and its impact on students with disabilities (free response, 250 word limit).

**Note:** All districts (including districts that are members of Special Education Cooperatives) will need to provide a description of how their district's specific SPED allocation was spent.

**5. For Ongoing Monthly Reporting After First Report: Summary of Updates |**

Please summarize updates to this report since last month, including 1) adjustments to previously reported expenditures, 2) new expenditures made in the last month, 3) new or increased impact of ESSER expenditures on the district and its students (free response, 250 word limit).

## **Certification**

To the best of my knowledge and belief, all the information and data in this agreement are true and correct. I acknowledge and agree that the failure to comply with all Assurances and Certifications in this Agreement, all relevant provisions and requirements of the CARES Act, Pub. L. No. 116-136 (March 27, 2020), or any other applicable law or regulation may result in liability under the False Claims Act, 31 U.S.C. § 3729, et seq.; OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement) in 2 CFR part 180, as adopted and amended as

regulations of the Department in 2 CFR part 3485; and 18 USC § 1001, as appropriate.

- a. Name of Authorized Representative of the District:
- b. Signature of Authorized Representative of the District:
- c. Date:

DRAFT

**Kansas ESSER Past Expenditure Template: First Report**  
Instructions

Districts are required to report to the Kansas State Department of Education (KSDE) on all past ESSER expenditures in order to draw down ESSER funds. Districts should submit a completed template with past expenditures through March 31, 2021. Completed templates are due by end of day on April 16, 2021. Moving forward, districts will be required to provide data refreshes of all past expenditures across ESSER funding streams to KSDE on a monthly basis; updated templates to capture additional funding streams will be sent out at a later date. If any questions arise as you fill in the application, please review our FAQ materials or reach out to the ESSER application team at ESSER@KSDE.org.

**Guidance for using the Excel template:**

- Districts should add past expenditures using ESSER I Direct District Allocations to the "ESSER I Direct Allocation" tab, and past expenditures using ESSER I SPED to the "ESSER I SPED" tab.
- Districts should only edit cells that are highlighted in yellow. Please do not edit any other cells in the file or add columns, rows, or tabs.
- There is data validation in some of the columns to ensure districts provide answers in the correct format - please provide answers from the allowable list of drop down options.
- Please reach out to the ESSER application team (ESSER@KSDE.org) if you believe additional template updates are needed to complete the application for your district.

<b>District Number:</b>		<i>Please include digits only (e.g., 501)</i>
<b>District Name (DO NOT EDIT):</b>		
<b>Past Expenditures Reported As Of (Date):</b>	3/31/2021	

AUTOPOPULATED BASED ON SUBSEQUENT TABS DO NOT EDIT			
PAST EXPENDITURES			
ESSER Allowable Uses	ESSER I Direct Allocation	ESSER I SPED	Total Expenditures
1. Any activity authorized by ESEA, IDEA, AEFLA, Perkins, or McKinney-Vento	\$ -	\$ -	\$ -
2. Coordination of COVID-19 preparedness and response efforts	\$ -	\$ -	\$ -
3. Providing principals and other school leaders with resources to address individual school needs	\$ -	\$ -	\$ -
4. Activities to address the unique needs of low-income children, children with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and foster care youth, including outreach and service delivery	\$ -	\$ -	\$ -
5. Procedures and systems to improve LEA preparedness and response efforts	\$ -	\$ -	\$ -
6. Training and professional development for LEA staff on sanitation and minimizing the spread of infectious disease	\$ -	\$ -	\$ -
7. Purchasing supplies to sanitize and clean LEA and school facilities	\$ -	\$ -	\$ -
8. Planning for and coordinating during long-term closures, including on how to provide meals, technology for online learning, guidance for carrying out IDEA requirements, and providing educational services consistent with applicable requirements	\$ -	\$ -	\$ -
9. Purchasing educational technology (including hardware, software, and connectivity) for the LEA's students	\$ -	\$ -	\$ -
10. Providing mental health services and supports	\$ -	\$ -	\$ -
11. Planning and implementing summer learning and supplemental after-school programs	\$ -	\$ -	\$ -
12. Addressing learning loss among students, including vulnerable populations	\$ -	\$ -	\$ -
13. 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	\$ -	\$ -	\$ -
14. Inspection, testing, maintenance, repair, replacement and upgrade projects to improve the indoor air quality in school facilities	\$ -	\$ -	\$ -
15. Developing strategies and implementing public health protocols for the reopening and operation of school facilities	\$ -	\$ -	\$ -
16. Other activities necessary to maintain LEA operations and services and employ existing LEA staff	\$ -	\$ -	\$ -
<b>Total</b>	\$ -	\$ -	\$ -









## **ELEMENTARY AND SECONDARY SCHOOL EMERGENCY RELIEF UNDER THE CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT (ESSER II)**

### **APPLICATION**

The Kansas State Department of Education (KSDE) has developed this application to gather the information necessary to ensure ESSER II plan compliance with state and federal law and report on the use of ESSER II funding. Please complete all required questions in the application form as well as the application template provided for download. The window for application submission will begin March 24, 2021.

**Please note – applications will be reviewed by the Commissioner’s Task Force in recorded public meetings, and all information entered in the application is subject to public disclosure.**

If any questions arise as you fill in the application, please review our FAQ materials or reach out to the ESSER application team at [ESSER@KSDE.org](mailto:ESSER@KSDE.org).

## Part A: Basic District Information

**1. Full District Name** (Short text answer):

**2. District Number** (Short numeric response):

**3. Mailing Address**

a. Street Number and Name (Short text response):

b. City (Short text response):

c. Zip Code (Short numeric response):

**4. Authorized Representative of the District**

a. Name (Short text response):

b. Position/Title (Short text response):

c. Email address (Short text response):

d. Phone number (Short text response):

**5. Other District Representatives**

All official communication (including general communications across applications) will be directed to the district's authorized representative. KSDE will, to the best of its ability, include the additional contact in district-specific communications (e.g., clarification questions or application comments).

a. (Optional) Email address 1 (Short text response):

b. (Optional) Email address 2 (Short text response):

## **PART B: COVID-19 Impact and ESSER I Funding**

### **Impact of COVID-19**

- 6.** Please briefly describe the impacts of COVID-19 on the district and its Pre-K through 12 students, including any relevant data where possible (e.g., cost impact, learning loss, emotional impact on students). If there has been a disproportionate impact on a special population in the district (e.g., students with disabilities, English Learners, students in foster care, students in poverty, etc.), please describe the impact and provide the number of Pre-K through 12 students in that population (free response, 250 word limit).

### **Plan for remaining ESSER I funding**

- 7.** Does the district have remaining ESSER I funding that it has not yet spent as of the date of ESSER II application submission? (Yes/No)
- 8.** If applicable, please summarize how the district will use its remaining ESSER I and ESSER I SPED funding and what it hopes to accomplish with these funds (free response, 200 word limit).

**Note:** The summary of remaining ESSER I plan is for context only; Task Force approval is not needed for further ESSER I drawdowns.

## **PART C: Plan for Use of ESSER II Funds**

**Please review the following allowable uses of ESSER II funds before completing the narrative and Excel template portion of the application.**

- (1) Any activity authorized by the ESEA of 1965, including the Native Hawaiian Education Act and the Alaska Native Educational Equity, Support, and Assistance Act (20 U.S.C. 6301 et seq.), the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) (“IDEA”), the Adult Education and Family Literacy Act (20 U.S.C. 1400 et seq.), the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.) (“the Perkins Act”), or subtitle B of title VII of the McKinney-December 21, Vento Homeless Assistance Act (42 U.S.C. 11431 et 2 seq.).
- (2) 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.
- (3) Providing principals and other school leaders with the resources necessary to address the needs of their individual schools.
- (4) 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.
- (5) Developing and implementing procedures and systems to improve the preparedness and response efforts of local educational agencies.
- (6) Training and professional development for staff of the local educational agency on sanitation and minimizing the spread of infectious diseases.
- (7) Purchasing supplies to sanitize and clean the facilities of a local educational agency, including buildings operated by such agency.
- (8) 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 educational services can continue to be provided consistent with all Federal, State, and local requirements.

(9) 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.

(10) Providing mental health services and supports.

(11) 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.

(12) Addressing learning loss among students, including low-income students, children with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and children and youth in foster care, of the local educational agency, including 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. (D) Tracking student attendance and improving student engagement in distance education.

(13) 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.

(14) 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.

(15) Developing strategies and implementing public health protocols for the reopening and operation of school facilities.

(16) 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.

**Please note:** "Developing strategies and implementing public health protocols for the reopening and operation of school facilities," identified as an allowable use under ESSER III in the American Rescue Plan, is also permissible under ESSER II.

### **Plan for ESSER II direct district allocation**

9. Please summarize how the district proposes using its ESSER II direct district allocation (and its KSDE per-student additional allocation, if applicable) to address incremental COVID-19 needs (free response, 300 word limit).
  
10. How will the district determine the impact of its ESSER II direct district allocation expenditures (and additional per-student allocation, if applicable) on students? (free response, 150 word limit)?
  
11. Please download and complete the ESSER II application template here to provide details on ESSER II budgeted expenditures across allowable uses and KSDE accounting codes (file upload).

**Please note:**

- Plans and budgets should be submitted for at least a 12 month period but do not need to account for the full duration of the program or the full allocation amount. Funds will remain accessible to the LEA until September 30, 2023 and there will be additional opportunities to submit further requests/plans in the future.
- Following ESSER II application approval and initiation of funds draw down, districts will be required to report to the Commissioner's Task Force on ESSER II expenditures and impact on a monthly basis throughout the program. This ESSER II reporting will be required as a part of regular ESSER program reporting, which will capture past expenditures across funding streams (ESSER I, ESSER I SPED, ESSER II, ESSER II SPED, ESSER II KSDE Per Student Allocation). Districts may be asked to provide

expenditures by fund, function, object, account, and ESSER II allowable use as part of ongoing ESSER reporting.

- This reporting will not replace any reporting required by the federal government. KSDE will work to maximize compatibility between its reporting requirements and those of the federal government as much as possible to minimize burden on districts.

The below question will be a required component of the application once KSDE has publicly shared ESSER II SPED allocations by district; until then, **districts should not provide an answer to this question or supply budgeted expenditure data for ESSER II SPED.**

### **Plan for ESSER II SPED**

- 12.** Please provide an overview of the district's ESSER SPED plan, including:
- a. COVID-19 impacts on the district's students with disabilities,
  - b. how the district has spent its ESSER I SPED allocation and what it accomplished,
  - c. how the district proposes using ESSER II SPED funding to address COVID-19 need across the 15 allowable use categories, and
  - d. how it will determine the impact of its funding on students with disabilities within the district.

**Note:** All districts (including districts that are members of Special Education Cooperatives) will need to provide a description of how their district's specific SPED allocation will be spent.

(Free response, 250 word limit)

**Part C: Assurances**

**Local Education Agency (LEA) ASSURANCES**

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**Section I. General Grant Assurances for Federal Funds**

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**Throughout the period of the grant award, the LEA will comply with all requirements of:**

The LEA will make a good faith effort, on a continuing basis, to maintain a drug-free workplace, in accordance with the measures in 34 CFR Part 84, Subpart B and the Drug-Free Workplace Act of 1988;

The Education Department General Administrative Regulations (EDGAR) 34 CFR 76 requirements, including:

34 CFR §76.500(a) Federal statutes and regulations on nondiscrimination.

(a) A State and a subgrantee shall comply with the following statutes and regulations:

Subject	Statute	Regulation
Discrimination on the basis of race, color, or national origin	Title VI of the Civil Rights Act of 1964 (45 U.S.C. 2000d through 2000d-4)	34 CFR part 100.
Discrimination on the basis of sex	Title IX of the Education Amendments of 1972 (20 U.S.C. 1681-1683)	34 CFR part 106.
Discrimination on the basis of handicap	Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794)	34 CFR part 104.

Discrimination on the basis of age	The Age Discrimination Act (42 U.S.C. 6101 <i>et seq.</i> )	34 CFR part 110.
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(b) A State or subgrantee that is a covered entity as defined in §108.3 of this title shall comply with the nondiscrimination requirements of the Boy Scouts of America Equal Access Act, 20 U.S.C. 7905, 34 CFR part 108.

(Authority: 20 U.S.C. 1221e-3, 3474, and 6511(a))

[45 FR 22497, Apr. 3, 1980. Redesignated at 45 FR 77368, Nov. 21, 1980, as amended at 71 FR 15002, Mar. 24, 2006]

34 CFR §76.650 Private schools; purpose of §§76.651-76.662.

(a) Under some programs, the authorizing statute requires that a State and its

subgrantees provide for participation by students enrolled in private schools. Sections 76.651-76.662 apply to those programs and provide rules for that participation. These sections do not affect the authority of the State or a subgrantee to enter into a contract with a private party.

(b) If any other rules for participation of students enrolled in private schools apply under a particular program, they are in the authorizing statute or implementing regulations for that program.

(Authority: 20 U.S.C. 1221e-3 and 3474)

34 CFR §76.700 Compliance with statutes, regulations, State plan, and applications.

A State and a subgrantee shall comply with the State plan and applicable statutes, regulations, and approved applications, and shall use Federal funds in accordance with those statutes, regulations, plan, and applications.

(Authority: 20 U.S.C. 1221e-3, 3474, and 6511(a))

34 CFR §76.701 The State or subgrantee administers or supervises each project.

A State or a subgrantee shall directly administer or supervise the administration of each project.

(Authority: 20 U.S.C. 1221e-3, 3474, and 6511(a))

34 CFR §76.702 Fiscal control and fund accounting procedures.

A State and a subgrantee shall use fiscal control and fund accounting procedures that insure proper disbursement of and accounting for Federal funds.

(Authority: 20 U.S.C. 1221e-3, 3474, and 6511(a))

34 CFR §76.709 Funds may be obligated during a “carryover period.”

(a) If a State or a subgrantee does not obligate all of its grant or subgrant funds by the end of the fiscal year for which Congress appropriated the funds, it may obligate the remaining funds during a carryover period of one additional fiscal year.

(b) The State shall return to the Federal Government any carryover funds not obligated by the end of the carryover period by the State and its subgrantees.

(Authority: U.S.C. 1221e-3, 1225(b), and 3474)

[45 FR 22517, Apr. 3, 1980. Redesignated at 45 FR 77368, Nov. 21, 1980, as amended at 45 FR 86296, Dec. 30, 1980. Redesignated at 60 FR 41295, Aug. 11, 1995]

34 CFR §76.722 Subgrantee reporting requirements.

A State may require a subgrantee to submit reports in a manner and format that assists the State in complying with the requirements under 34 CFR 76.720 and in carrying out other responsibilities under the program.

(Authority: 20 U.S.C. 1221e-3, 1231a, and 3474)

[72 FR 3703, Jan. 25, 2007]

34 CFR §76.730 Records related to grant funds.

A State and a subgrantee shall keep records that fully show:

- (a) The amount of funds under the grant or subgrant;
- (b) How the State or subgrantee uses the funds;
- (c) The total cost of the project;
- (d) The share of that cost provided from other sources; and
- (e) Other records to facilitate an effective audit.

(Approved by the Office of Management and Budget under control number 1880-0513)

(Authority: 20 U.S.C. 1232f)

[45 FR 22517, Apr. 3, 1980. Redesignated at 45 FR 77368, Nov. 21, 1980, as amended at 53 FR 49143, Dec. 6, 1988]

34 CFR §76.731 Records related to compliance.

A State and a subgrantee shall keep records to show its compliance with program requirements.

(Authority: 20 U.S.C. 1221e-3, 3474, and 6511(a))

The Uniform Grant Guidance, 2 CFR §200 all applicable subrecipient requirements, including but not limited to:

2 CFR Subpart D – Post Federal Award Requirements

- §200.302 Financial management.
- §200.303 Internal controls.
- §200.305 Payment.
- §200.313 Equipment.
- §200.314 Supplies.
- §200.318 General procurement standards.
- §200.320 Methods of procurement to be followed;

2 CFR 200 Subpart E: Cost Principles:

- §200.403 Factors affecting allowability of costs.
- §200.404 Reasonable costs.
- §200.405 Allocable costs.
- §200.413 Direct costs.
- §200.415 Required certifications.
- §200.430 Compensation—personal services.

The Debarment and Suspension, 34 CFR Part 85, Section 85.510, Participants' Responsibilities and makes the following certification by signing this application:

The prospective lower-tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.

Where the prospective lower-tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this

certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 for such failure.

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## **Section II. Specific Elementary and Secondary School Emergency Relief (ESSER) Grant Assurances**

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The LEA assures that funds shall only be used for any of the following:

- (1) *Any activity authorized by the ESEA of 1965, including the Native Hawaiian Education Act and the Alaska Native Educational Equity, Support, and Assistance Act (20 U.S.C. 6301 et seq.), the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) ("IDEA"), the Adult Education and Family Literacy Act (20 U.S.C. 1400 et seq.), the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.) ("the Perkins Act"), or subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.).*
- (2) *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.*
- (3) *Providing principals and others school leaders with the resources necessary to address the needs of their individual schools.*
- (4) *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.*
- (5) *Developing and implementing procedures and systems to improve the preparedness and response efforts of local educational agencies.*

- (6) *Training and professional development for staff of the local educational agency on sanitation and minimizing the spread of infectious diseases.*
- (7) *Purchasing supplies to sanitize and clean the facilities of a local educational agency, including buildings operated by such agency.*
- (8) *Planning for and coordinating during long-term closures, including for how to provide meals to eligible students, how to provide technology for online learning to all students, how to provide guidance for carrying out requirements under the Individuals with Disabilities Education Act (20 U.S.C. 1401 et seq.) and how to ensure other educational services can continue to be provided consistent with all Federal, State, and local requirements.*
- (9) *Purchasing educational technology (including hardware, software, and connectivity) for students who are served by the local educational agency that aids in regular and substantive educational interaction between students and their classroom instructors, including low-income students and students with disabilities, which may include assistive technology or adaptive equipment.*
- (10) *Providing mental health services and supports.*
- (11) *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.*
- (12) *Addressing learning loss among students, including low-income students, children with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and children and youth in foster care, of the local educational agency, including 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. (D) Tracking student attendance and improving student engagement in distance education.*

- (13) *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.*
- (14) *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.*
- (15) *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.*

Throughout the period of the grant award, the LEA shall comply with all applicable requirements of the Elementary and Secondary School Emergency Relief (ESSER) authorized by the Coronavirus Response and Relief Supplemental Appropriations Act, 2021 (CRRSAA), including:

### **CONTINUED PAYMENT TO EMPLOYEES**

*SEC. 18006. A local educational agency, State, institution of higher education, or other entity that receives funds under "Education Stabilization Fund", shall to the greatest extent practicable, continue to pay its employees and contractors during the period of any disruptions or closures related to coronavirus.*

### **Certification**

To the best of my knowledge and belief, all the information and data in this agreement are true and correct. I acknowledge and agree that the failure to comply with all Assurances and Certifications in this Agreement, all relevant provisions and requirements of the CARES Act, Pub. L. No. 116-136 (March 27, 2020), or any other applicable law or regulation may result in liability under the False Claims Act, 31

U.S.C. § 3729, et seq.; OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement) in 2 CFR part 180, as adopted and amended as regulations of the Department in 2 CFR part 3485; and 18 USC § 1001, as appropriate.

- a. Name of Authorized Representative of the District:
- b. Signature of Authorized Representative of the District:
- c. Date:

DRAFT

**Kansas ESSER II Application Template  
Instructions**

Districts are required complete this application template in order to be approved to draw down ESSER II funding. Districts should submit a complete template that outlines the planned use of funding for the total dollar amount requested for draw down over the plan time period. Districts may submit plans for a portion of their total allocation at one time (e.g., districts may submit their plan across funding streams for SFY 2021, and later submit their plan for SFY 2022 once the initial plan's dollars run out). Districts must submit their plan for ESSER II Direct District Allocation and the KSDE Per Student Allocation (if applicable) at one time across the same period (e.g., districts may not submit a plan for ESSER II Direct District Allocation in April and then submit their plan for the KSDE Per Student Allocation in June). If any questions arise as you fill in the application, please review the FAQ materials or reach out to the ESSER application team at ESSER@KSDE.org.

**Guidance for using the Excel template:**

- Districts are required to break up expenditures across the ESSER II funding streams: direct district allocations and KSDE per-student allocations (if applicable), which represent two separate tabs in this application. **NOTE: ESSER II SPED district allocations are being developed by KSDE and will be shared with districts when available; until then, districts should not submit ESSER II SPED plans.**
  - Districts should only edit cells that are highlighted in yellow. Please do not edit any other cells in the file or add columns, rows, or tabs.
- There is data validation in some of the columns to ensure districts provide answers in the correct format - please provide answers from the allowable list of drop down options.
- Please reach out to the ESSER application team (ESSER@KSDE.org) if you believe additional template updates are needed to complete the application for your district.

<b>District Number:</b>		<i>Please include digits only (e.g., 501)</i>
<b>District Name:</b>		
<b>Plan Start:</b>		<i>Format: MM/YYYY</i>
<b>Plan End:</b>		<i>Please include the last month covered by the plan</i>

**AUTOPOPULATED BASED ON SUBSEQUENT TABS  
DO NOT EDIT**

**BUDGETED EXPENDITURES**

ESSER Allowable uses	ESSER II Direct district allocation		ESSER II SPED Not included in this application round	ESSER II KSDE Per Student Allocation	Total Budgeted Expenditures
	\$	-	\$	\$	\$
1. Any activity authorized by ESEA, IDEA, AEFLA, Perkins, or McKinney-Vento	\$	-	\$	-	\$
2. Coordination of COVID-19 preparedness and response efforts	\$	-	\$	-	\$
3. Providing principals and other school leaders with resources to address individual school needs	\$	-	\$	-	\$
4. Activities to address the unique needs of low-income children, children with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and foster care youth, including outreach and service delivery	\$	-	\$	-	\$
5. Procedures and systems to improve LEA preparedness and response efforts	\$	-	\$	-	\$
6. Training and professional development for LEA staff on sanitation and minimizing the spread of infectious disease	\$	-	\$	-	\$
7. Purchasing supplies to sanitize and clean LEA and school facilities	\$	-	\$	-	\$
8. Planning for and coordinating during long-term closures, including on how to provide meals, technology for online learning, guidance for carrying out IDEA requirements, and providing educational services consistent with applicable requirements	\$	-	\$	-	\$
9. Purchasing educational technology (including hardware, software, and connectivity) for the LEA's students	\$	-	\$	-	\$
10. Providing mental health services and supports	\$	-	\$	-	\$
11. Planning and implementing summer learning and supplemental after-school programs	\$	-	\$	-	\$
12. Addressing learning loss among students, including vulnerable populations	\$	-	\$	-	\$
13. 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	\$	-	\$	-	\$
14. Inspection, testing, maintenance, repair, replacement and upgrade projects to improve the indoor air quality in school facilities	\$	-	\$	-	\$
15. Developing strategies and implementing public health protocols for the reopening and operation of school facilities	\$	-	\$	-	\$
16. Other activities necessary to maintain LEA operations and services and employ existing LEA staff	\$	-	\$	-	\$
<b>Total</b>	\$	-	\$	-	\$





## **Kansas ESSER II FAQs**

**Last Updated: 3/23/21**

The purpose of this document is to answer Frequently Asked Questions related to the Elementary and Secondary School Emergency Relief (ESSER II) program under the Coronavirus Response and Relief Supplemental Appropriations Act, 2021 (CRRSA Act).

### **Kansas ESSER II Program Overview**

#### **1. What is the purpose of the Elementary and Secondary School Emergency Relief (ESSER) program?**

The ESSER program is intended to help States and school districts safely reopen schools, measure and effectively address significant learning loss, and take other actions to mitigate the impact of COVID-19 on the students and families who depend on our K-12 schools.

#### **2. How much ESSER II money is Kansas receiving, and how are Kansas's ESSER II funds being allocated to districts?**

Kansas is receiving approximately \$370M for ESSER II, which is more than four times the amount received in ESSER I. Similar to ESSER I, 90% of ESSER II funds is allocated to districts through the Title I formula, 9.5% must be used by KSDE to address issues responding to coronavirus, including measuring and addressing learning loss, and 0.5% is reserved for program administration.

The 9.5% (approximately \$37M) of ESSER II discretionary funds will be utilized in three ways:

- Ensuring that all districts receive at least \$300 per student in ESSER II funds (ESSER II KSDE per-student additional allocation)
- Granting \$150,000 to the School for the Blind & School for the Deaf, which do not receive funds through LEA distributions
- Providing the remainder of funding to districts to support special education over the 2021-22 and 2022-23 school years (ESSER II SPED)

Exact amounts allocated by district across ESSER funds and earmarks will be shared to the [KSDE ESSER page](#) shortly. Please note – ESSER II special education funding allocations are under development and will be shared publicly with districts at a later date.

### **3. Are districts competing for any ESSER II funds?**

No. All ESSER II funds are being allocated to districts according to formulas mandated by the federal government (or KSDE in the case of State Educational Agency discretionary funds). Each district will be drawing down funds specifically earmarked for that district and may not exceed that amount of funds under any circumstances. Any unused funds will be returned to the federal government and re-allocated to other States.

### **4. Who is responsible for making decisions within the Kansas ESSER II program?**

Kansas Education Commissioner Dr. Randy Watson has established a Task Force with a range of public and private school representatives to provide strategic oversight for the distribution of federal funding to support Kansas K-12 schools through both the EANS (non-public school) and ESSER (public school) programs. With support from KSDE, the Commissioner's Task Force will review applications to ensure districts' proposed uses of funds are allowable under ESSER II requirements and to monitor ESSER program spending across the state. The Commissioner's Task Force will then submit its recommendations to the Kansas State Board of Education for final approval. All Task Force meetings are livestreamed, recorded, and open to the public. More information on the Commissioner's Task Force, including members, agendas, meeting materials, minutes, and recordings, can be found [here](#).

### **5. Aside from the creation of the Task Force, how else will KSDE's administration of the ESSER II program differ from ESSER I?**

ESSER II is over four times the size of ESSER I in terms of funding. With significant additional resources comes a responsibility to rigorously oversee and track the use of funds. In addition to the creation of the Commissioner's Task Force, there will be more regular, detailed reporting requirements for districts on past expenditures as well as a more formal application process. Please see below for more detail on both reporting and application requirements.

### **6. Over what time period are ESSER II funds available?**

ESSER II funds may be used for costs dating back to March 13, 2020, when the national emergency was declared. Funds are available to obligate through September 30, 2023.

### **7. Should ESSER I funds be used up before accessing ESSER II funds?**

Yes. LEAs should plan to use all remaining ESSER I funds before making use of the ESSER II funds, given the shorter remaining period of availability.

## **ESSER Reporting**

### **8. What ESSER reporting requirements are being put in place?**

Beginning in April, 2021, districts will be required to submit monthly reports of all ESSER expenditures to date through the end of the prior month. Monthly reports will include expenditures incurred from the beginning of the ESSER program through the end of the prior month.

### **9. Do these reporting requirements extend to ESSER I? Do different ESSER funds need to be tracked separately?**

Yes. ESSER reporting will be required for all ESSER funds, including ESSER I, II, and III, as well as funds set aside for special education. Districts are expected to track all ESSER grants and earmarks separately, and the reporting template is formatted accordingly. This includes tracking ESSER I and ESSER II separately as well as tracking ESSER II minimum allocation separately from the KSDE per-student additional allocation (for those districts which did not receive at least \$300 per student in the minimum allocation) and the ESSER II special education allocation.

### **10. When will reports be due and how will they be submitted?**

Reports will be due to KSDE by Friday of the second full week of each month, covering expenditures through and including the prior month. For example:

- Reporting through March 31<sup>st</sup>, 2021 must be submitted by April 16<sup>th</sup>, 2021
- Reporting through April 30<sup>th</sup>, 2021 must be submitted by May 14<sup>th</sup>, 2021
- Reporting through May 31<sup>st</sup>, 2021 must be submitted by June 18<sup>th</sup>, 2021

Reports must be submitted through the Kansas CommonApp. Additional information and training can be found on the [KSDE ESSER page](#).

### **11. Do districts need to submit reports in order to draw down funds?**

Yes. Timely reporting is required in order for districts to be able to draw down any ESSER funds spent to-date.

### **12. What information will each report include?**

Each Past Expenditure Report will include the submission of cumulative, account-level expenditures through the end of the prior month. This includes both an Excel template as well as a brief form:

- The Excel template breaks down expenditures by account, which must be delineated at the fund/function/object/ESSER allowable use level; each

account must also be accompanied by a brief description of expenditures within the account and how they addressed a COVID-19 need

- The form includes a free-response summary that captures how the district has spent its funds and the impact of those funds on students. The summary should cover all funding earmarks (e.g., direct district allocations, SPED, and KSDE per-student additional allocation if applicable)

### **13. How should districts address Special Education Cooperatives and Interlocals in their reporting?**

Each district is responsible for reporting on past ESSER expenditures for its entire ESSER SPED allocation, irrespective of whether or not those funds were ultimately spent by another entity. Object code 564 (LEA Payments to COOPs/Interlocals) will not be permitted in reporting or applications; districts are required to use other function and object codes to disaggregate payments to COOPs/Interlocals and clearly define where ESSER SPED funding is being spent. Districts should work with their Cooperative or Interlocal to determine which expenditures (or which proportion of each expenditure) should be tied back to the ESSER funds specifically allocated to each district.

### **14. Will reports include budgeted future expenditures?**

No. Budgeted future expenditures will be included in the application (see below). Reporting only covers expenditures to-date.

### **15. Should SEAs and LEAs anticipate federal monitoring or auditing of ESSER funds?**

Yes. The Department will monitor the use of ESSER funds. In addition, ESSER funds are subject to audit requirements under the Single Audit Act and to review by the Government Accountability Office. The Department's Office of the Inspector General may audit program implementation, as may any other federal agency, commission, or department in the lawful exercise of its jurisdiction and authority.

### **16. How can districts modify their chart of accounts to make reporting easier?**

Districts are encouraged to align their chart of accounts so that each distinct fund-function-object-allowable use combination has its own unique account. Although allowable use categories differ slightly between ESSER I, II, and III, the ESSER reporting template has been designed to maximize compatibility across these programs so the same accounts can be mimicked throughout the duration of the program.

### **17. What level of granularity is required for function and object codes in ESSER reporting?**

For ESSER reporting, districts must use at least the level of function and object code granularity that is required for state budget reporting. However, districts are strongly encouraged to use more granular codes where possible. There is one notable exception to this rule: object code 564 (LEA Payments to COOPs/Interlocals) will not be permitted in reporting; districts are required to use other function and object codes to disaggregate payments to COOPs/Interlocals and clearly define where ESSER SPED funding was spent. Additional information, including which function and object codes are included in state budget reporting, can be found in the [Kansas Accounting Handbook](#).

### **ESSER II Application**

#### **18. Where can districts access the ESSER II application materials?**

Kansas ESSER II application materials can be found [here](#).

#### **19. Are non-public schools eligible to apply for ESSER II?**

Non-public schools are not eligible for ESSER II, but may be eligible for Emergency Assistance to Non-public Schools (EANS). Kansas EANS I application materials can be found on the [KSDE EANS page](#).

#### **20. What information does the ESSER II application include?**

Each application will include the submission of account-level budgeted expenditures (Excel template) as well as a set of accompanying narratives.

The Excel template asks districts to break down budgeted expenditures by account by state fiscal year, which must be delineated at the fund/function/object/ESSER allowable use level; each account must also be accompanied by a brief description of expenditures within the account and how they will be used to address a COVID-19 need. The budgeted expenditures are categorized in the same way as past expenditures.

In addition to budgeted expenditures, districts must submit accompanying narratives that:

- Briefly describe the impacts of COVID-19 on the district and its students
- Lay out a plan for any remaining ESSER I and ESSER I SPED funding (if applicable)

- Provide an overview of the district's plan for using ESSER II funds
- Convey the anticipated/targeted impact of ESSER II expenditures
- Outline the district's need and plan for using ESSER II SPED funds

### **21. When should districts submit their ESSER II application?**

Applications for ESSER II funds are now open; there currently is no deadline for applying for ESSER II funds, but districts may not draw down ESSER II funds until their application has been reviewed by KSDE and the Commissioner's Task Force and approved by the Kansas State Board of Education (KSBOE). Because the Board of Education meets monthly, districts are encouraged to submit applications as soon as possible as there could be up to 4-6 weeks between receipt of an application and formal approval by the KSBOE. The KSBOE meeting schedule can be found [here](#).

Please note – ESSER II special education funding allocations are under development and will be shared publicly with districts at a later date. Until then, districts should not submit ESSER II SPED plans. While districts can submit plans for only a portion of their total ESSER II funding, each plan must cover the same time period across funding streams. For example, districts may not submit one plan for their direct district allocation in May and another plan for their KSDE per-student allocation in August; instead districts should submit a single plan across both funding streams in May. Until ESSER II SPED allocations are published, ESSER II SPED should be excluded from submitted plans.

### **22. How will KSDE and the Task Force determine which proposed district expenditures to approve?**

Budgeted district expenditures will be evaluated based on whether or not they are deemed necessary, reasonable, and allowable under the ESSER program. KSDE and the Task Force will not prescribe exactly how districts use their funds; they will merely provide oversight to ensure funds are used in a manner consistent with the spirit and letter of the federal guidelines.

### **23. Who will have access to the information contained in the applications?**

Applications will be reviewed by the Commissioner's Task Force in recorded public meetings, and all information entered in the application is subject to public disclosure.

### **24. How should districts address Special Education Cooperatives and Interlocals in their application?**

ESSER II special education funding allocations are under development and will be shared publicly with districts at a later date. Until then, districts should not submit ESSER II SPED plans.

Each district is responsible for applying for its own ESSER SPED allocation, irrespective of whether or not those funds will ultimately be spent by another entity. Object code 564 (LEA Payments to COOPs/Interlocals) will not be permitted in reporting; districts are required to use other function and object codes to disaggregate payments to COOPs/Interlocals and clearly define where ESSER SPED funding was spent. Districts should work with their Cooperative or Interlocal to determine which expenditures (or which proportion of each expenditure) will be tied back to the ESSER funds specifically allocated to each district.

**25. Does a district need to apply for its full ESSER II allocation at once? Can a district submit multiple applications?**

Districts do not need to apply for their full ESSER II allocations at once. Districts should submit a plan for at least a 12-month period but do not need to account for the full duration of the program or the full allocation amount. Funds will remain accessible to the district until September 30, 2023 and there will be additional opportunities to submit further requests/plans in the future.

Please note – KSDE will award the full ESSER II allocation amount to districts once the assurances in the ESSER II application are signed and approved; however, districts will only be able to draw down funding up to the total submitted and approved in their current plan.

**ESSER II Allowable Uses**

**26. How may districts use ESSER II funds? Are the rules different from ESSER I?**

Districts may use ESSER II funds across the set of allowable uses defined in the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSA Act); these allowable uses are also permissible under ESSER I. An additional allowable use around public health protocols for school reopening (defined for ESSER III in the American Rescue Plan) is also permissible under ESSER I and II. See below for the full list of allowable use categories for ESSER II:

1. Any activity authorized by the ESEA, the Individuals with Disabilities Education Act (IDEA), the Adult Education and Family Literacy Act (AEFLA), the

Carl D. Perkins Career and Technical Education Act (Perkins), or the McKinney Vento Homeless Education Assistance Act.

2. Coordination of LEA preparedness and response efforts to improve coordinated responses with other agencies to prevent, prepare for, and respond to coronavirus.
3. Providing principals and other school leaders with the resources necessary to address school needs.
4. 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.
5. Developing and implementing procedures and systems to improve LEA preparedness and response efforts.
6. Training and professional development for LEA staff on sanitation and minimizing the spread of infectious diseases.
7. Purchasing supplies to sanitize and clean LEA facilities.
8. Planning for and coordinating during long-term closures, including how to provide meals, technology for online learning, guidance on IDEA requirements, and ensuring other educational services can continue to be provided consistent with all applicable requirements.
9. Purchasing educational technology (including hardware, software, and connectivity) for students served by the LEA that aids in regular and substantive educational interactions between students and their classroom teachers, including assistance technology or adaptive equipment.
10. Providing mental health services and supports.
11. 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.
12. Addressing learning loss among students, including low-income students, students with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and children in foster care, of the local educational agency, including by–
  - a. Administering and using high-quality assessments 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.
  - d. Tracking student attendance and improving student engagement in distance education.
13. School facility repairs and improvements to reduce risk of virus transmission and to support student health needs.
  14. 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.
  15. Developing strategies and implementing public health protocols for the reopening and operation of school facilities.
  16. Other activities that are necessary to maintain operations and continuity of services and continuing to employ existing staff.

**27. How much flexibility does a district have in determining the activities to support with ESSER funds?**

Districts have full discretion over the use of their ESSER funds so long as those uses are necessary, reasonable, and allowable under the federal guidelines of the ESSER program. KSDE and the Task Force will not prescribe exactly how districts use their funds; they will merely provide oversight to ensure funds are used in a manner consistent with the spirit and letter of the federal guidelines.

**28. May a district use its ESSER formula funds to support any school in the district, regardless of a school's Title I, Part A status?**

Yes. Under ESSER II, federal guidelines do not define how an LEA distributes funds to schools. An LEA may support any school in the district or it may target funds based on poverty, indication of school needs, or other targeting measures. However, Elementary and Secondary Education (ESEA) Title I maintenance of effort and comparability tests must continue to be met, using state and local funds.

**29. Are districts required to provide equitable services to nonpublic schools with ESSER II funds?**

No. Unlike ESSER I, ESSER II does not require LEAs to provide equitable services to nonpublic schools. A separate program was launched for Emergency Aid to Nonpublic Schools (EANS).

### **30. May a district use ESSER funds for allowable costs incurred prior to receiving grant funds?**

Yes. A district may use ESSER funds for any allowable expenditure incurred on or after March 13, 2020, the date the President declared the national emergency due to COVID-19.

## **Change Requests**

### **31. Can ESSER II applications/plans be altered after submission?**

Yes, there will be opportunities to request modifications to the originally submitted plan over time, as well as opportunities to submit revised or new plans. KSDE is developing a process for change request submissions and will share the details when they are available in the near future.

## **Maintenance of Effort**

### **32. Are ESSER funds subject to a supplanting prohibition?**

No, ESSER does not contain a supplanting prohibition. However, other federal fund restrictions do apply, which make replacing existing state and local funds with ESSER funds essentially impossible. ESSER funds may only be used for reasonable, necessary, and allowable costs that prevent, prepare for, and respond to coronavirus. In general, ESSER may not be used to pay for regular services that are ordinarily funded through other means.

### **33. What are the Maintenance of Effort requirements of the ESSER program?**

Under the CARES Act (ESSER I), a State must maintain support for elementary and secondary education in each of fiscal years (FY) 2020 and 2021 at least at the level of such support that is the average of the support for elementary and secondary education provided in FYs 2017, 2018, 2019. Additional information regarding the ESSER I Maintenance of Effort requirement can be found [here](#).

Under the CRRSA Act (ESSER II), a state must maintain support for elementary and secondary education in FY 2022 at as least the same proportional share of the State's support for elementary and secondary education relative to the State's overall spending averaged over FYs 2017, 2018, and 2019.