



Using ESSER Funding for Construction and Renovations Q & A

Q: Can ESSER funds be used for activities typically funded with general fund dollars? This would free up general education dollars for capital expense projects, alleviating the hassle of determining whether the activity is allowable or not.

A: You can use ESSER funds for activities previously paid for with state or local funds IF the activities fall into one of the allowable categories and are COVID-related. There is no supplement not supplant provision. This would free up general funds to pay for capital expense projects.

Q: Have you heard anything more about when the USED ESSER guidance will be released?

A: The writing of the guidance is done. It is in the federal clearance process.

Q: What is the best way to ensure you are in compliance when using ESSER funds for a construction project?

A: Keep an eye out for the USED guidance, as there should be information regarding what rules apply when using ESSER funds for construction. Be sure to attend all upcoming trainings offered on this topic as well.

Q: Does the 20% set aside for learning loss apply to ESSER II funds?

A: There is an expectation at both the federal and state levels that districts use a portion of their ESSER II funds to address learning loss, however, there is no specific percentage required. Furthermore, HB 1013 has language requiring the state superintendent to collect narrative reports. So, by December 2021, districts must submit a report to NDDPI, which we in turn, must submit to the legislature indicating what percentage of ESSER II funds districts spent on learning loss.

Q: Can we replace the old carpet with new carpet squares instead of tile?

A: Yes, this is an approvable expense as long as you can tie it to COVID.

Q: What happens if during a financial audit, it was determined we spent money on something that considered a non-allowable activity or that wasn't properly tied to COVID?

A: As long as districts receive approval from the SEA, you should be fine with the auditors, as they generally defer to the SEA on allowable expenditures. Therefore, it is critical for districts to submit the capital expense form; it is for your protection.

Q: We used our lunchroom as a temporary classroom in order to social distance. In an effort to maintain social distancing requirements, an addition to our current building is necessary. Can we be reimbursed with ESSER funding for construction costs that were paid for with state and local dollars?

A: Yes. Since this is an allowable activity, is COVID related, and falls within the allowable time frame, districts can use local dollars and then request ESSER funding to reimburse the district.