



NORTH DAKOTA DEPARTMENT OF
PUBLIC INSTRUCTION

Applying For ESSER III Funding

May 17, 2021

American Rescue Plan Enacted

- The American Rescue Plan (ARP), was signed into law by President Biden on March 11, 2021. This legislation provides ESSER III funding for school districts.

| Name | ND Allocation | Date Awarded | Deadline to Spend |
|-----------------|-----------------|---------------|-------------------|
| CARES – ESSER I | \$33.3 million | April 2020 | Sept 30, 2022 |
| CRRSA – ESSR II | \$135.9 million | December 2020 | Sept 30, 2023 |
| ARP – ESSER III | \$305.3 million | March 2021 | Sept 30, 2024 |

Training Purpose

- The purpose of today's training is to share with school personnel the federal requirements and the process for applying for ESSER III funding.
- The ESSER grants are providing a significant onetime influx of federal funding for school districts in order to address COVID, and we all want to ensure significant thought goes into the application process.

ESSER III Allocations

- North Dakota's ESSER III state allocation is \$305,266,879.
- School district ESSER III allocations are posted on the NDDPI [website](#).
- State education departments were required to use the Title I funding formula to determine ESSER III allocations.

Period of Funds Availability

- ESSER III funding may be used for pre-award costs dating back to March 13, 2020, when the national emergency was declared.
- Obligation and Expenditure Timeline: March 13, 2020 – September 30, 2024
- Liquidation Deadline – Districts must submit financial reports to the NDDPI by December 30, 2024.

Tracking/Coding Funds

- Districts must track these funds separately to report use of funds and expenses in the future. The following codes have been established and align with NDSDFARM.
 - Revenue Coding: 4590 – Other Restricted Federal Revenue
 - Project Expense Coding: 110 – ESSER III
 - Learning Loss Coding: 112 – ESSER III
 - Program Code 298 should only be used with function code 1000. If using a function code other than 1000, use the program code identified in the NDSDFARM manual for each expenditure.

ESSER Monitoring

- There are a multitude of state and federal regulations that LEAs must adhere to regarding the ESSER II and III funding.
- LEAs must comply with audit requirements within the Uniform Grant Guidance (UGG), Edgar, the Single Audit Act, and other specific ESSER regulations. This includes time and effort documents, equipment inventories, procurement, and audits.
- The NDDPI will be conducting a training on ESSER monitoring requirements on May 18, 2021. The Teams link to the training is listed below.
 - [TEAMS Meeting Link](#)

Allowable Activities

- All expenditures with ESSER dollars must be COVID-related and for the purpose of preventing, preparing, and responding to the pandemic.

AND

- Fall into one of the allowable categories located in [Appendix B](#).

ESSER III Process

- The process of applying for ESSER III funding is different from the ESSER I and II application process.
- The ARP provides significantly more funding and therefore, there are more requirements that must be adhered to.
- It is important to note that this legislation was approved under a different administration at the USED.

Requirements within the ARP Act

- In-person instruction and continuity of services plan
- Learning loss set-aside requirement (20%)
- Evidence-based interventions requirement
- Maintenance of equity requirement
- ESSER III district application requirements

In-Person Instruction and Continuity of Services Plan

The ARP Act requires school districts to develop an in-person instruction and continuity of services plan.

- Plan must address how the district will ensure continuity of services and a description of the policies and practices for following health and safety strategies.
- Districts must obtain stakeholder input in the plan's development.
- Plan must be publicly available on the district website within 30 days of receiving the funds (June 24, 2021).
- If a district developed a plan before ARP was enacted that does not address the requirements, the district must revise its plan **no later than six months after its last review**.
- Districts need to **update** the *In-Person Instruction and Continuity of Services Plan* **at least every six months** through September 30, 2024, and must seek ongoing public input on the plan and any revisions.

Learning Loss Requirement

- School districts must reserve not less than 20% of its total ARP ESSER III allocation to address learning loss through the implementation of evidence-based interventions.
- At this time, we still do not have written guidance from the USED, so our best interpretation of this is 20% must be dedicated to “direct student services”.
- Ideas for the 20% set-aside were included in a [presentation](#) conducted on April 27, 2021.
- The 67th North Dakota Legislative Assembly required in HB 1013 that school districts receiving elementary and secondary school emergency relief funds shall provide two narrative summary reports to the superintendent of public instruction.

Learning Loss Requirement, Part II

- ND HB 1013, SECTION 24. LEARNING LOSS, ACCELERATED LEARNING RECOVERY, AND ELEMENTARY AND SECONDARY SCHOOL EMERGENCY RELIEF FUND - REPORT TO LEGISLATIVE MANAGEMENT.
- School districts receiving funds from the elementary and secondary school emergency relief fund:
 - Must provide two narrative summary reports to DPI
 - Must include information regarding learning losses of students identified within the district, including subgroup gaps; school district plans to accelerate learning recovery for all students, including closing subgroup gaps
 - Must include use of ESSER funds by category
 - Must include the impact ESSER funds have had on accelerating learning recovery for the districts' students, including subgroups
- Important Dates:
 - By December 1, 2021 – District submits report #1 to NDDPI
 - By June 1, 2022 – NDDPI reports to legislative management
 - December 1, 2022 – District submits report #2 to NDDPI
 - Legislative Session 2023 – NDDPI provides legislative report

Evidence-Based Interventions and Practices

“Evidence-based interventions and practices” are defined under section 8101(21)(A) of the ESEA.

- Strong evidence from at least one well-designed and well-implemented experimental study (“Tier 1”);
- Moderate evidence from at least one well-designed and well-implemented quasi-experimental study (“Tier 2”); or
- Promising evidence from at least one well-designed and well-implemented correlational study with statistical controls for selection bias (“Tier 3”); or
- Demonstrates a rationale based on high-quality research findings or positive evaluation that such activity, strategy, or intervention is likely to improve student outcomes or other relevant outcomes and includes ongoing efforts to examine the effects of such activity, strategy, or intervention (“Tier 4”).

Evidence-Based Interventions and Practices for ESSER Funding

- Due to the COVID-19 pandemic, the USED is providing flexibility.
- For the 20% set-aside on learning loss, the activities have to be evidence-based but can meet ANY of the 4 tiers of evidence.
- Activities for the remaining 80% of ESSER III funding do not have to meet the evidence-based requirement.

New Maintenance of Equity Requirement

- The ARP contains a new maintenance of equity requirement for both the state and school districts for each of FYs 2022 and 2023.
- This provision is aimed at protecting funding levels for districts and schools that have high percentages of students living in poverty.
- SEAs cannot reduce per-student funding in said districts by more than statewide reductions, and school districts cannot reduce funding or staffing per student in schools with high rates of student living in poverty by more than district-wide funding or staffing reductions.

New Maintenance of Equity Requirement, Part II

- This new requirement only applies to 14 districts in North Dakota.

| | | | | |
|-------------|-----------|-------------|--------------|-------|
| Belcourt | Bismarck | Devils Lake | Dickinson | Fargo |
| Grand Forks | Jamestown | Mandan | McKenzie Co. | Minot |
| Valley City | Wahpeton | West Fargo | Williston | |

ESSER III LEA Application

The ARP Act requires SEAs to collect an LEA ESSER III application that addresses:

- How ARP ESSER III funds will be used by the district to implement prevention and mitigation strategies.
- How the district will use the mandatory 20% set-aside to address the academic impact of learning loss through the implementation of evidence-based interventions.
- How the district will use the remaining ARP ESSER funds consistent with statutory requirements.
- How the district will respond to the needs of students disproportionately impacted by the COVID-19 pandemic, including students from low-income families, students of color, English learners, children with disabilities, students experiencing homelessness, children and youth in foster care, and migratory students.
- How the district consulted with a wide variety of stakeholders when developing the spending plan.

Due to the federal requirements regarding the plan components and timeline requirements, we will have a two-phased process to apply for ESSER III funding.

Federal Timeline Requirements

| | |
|-------------|---|
| March 24 | States received access to two-thirds of ESSER III funding |
| May 24 | States must grant districts a portion of the ESSER III funding |
| May 17-24 | Districts submit “Initial Application” for ESSER III funding |
| June 7 | Deadline for states to submit ESSER III state plan |
| June 21 | Deadline for states to post information about schools' mode of instruction, as well as disaggregated enrollment and attendance data |
| June 24 | Deadline for districts to post an in-person instruction and continuity of services plan |
| June 30 | Due date for ESSER II applications |
| July/August | Due date for ESSER III supplemental applications (TBD) |

Roll out of ESSER III Funding

- Phase I: Districts will submit an “Initial Application” and receive two-thirds of the ESSER III Funding.
- Phase II: Districts will submit an ESSER III supplemental application. Once approved, districts will receive the remaining one-third of funding.

Phase I – Initial Application

The ARP requires states to grant school districts a portion of their ESSER III funding by May 24, 2021.

Phase I: May 17 – May 24, 2021

- Training held on ESSER III “[Initial Application](#)” process (Parts A-C)
- Districts complete “Initial Application” and submit to dpiasstsup@nd.gov
- Grant Awards (i.e., contracts) made available to school districts through WebGrants
- Districts awarded two-thirds of their ESSER III funding

Phase II – Supplemental Application

The ARP requires states to collect school district ESSER III applications within 90 days of granting out funding (August 24, 2021).

Phase II: June – August 2021

- Training held on ESSER III supplemental application requirements
- Supplemental application released to school districts
- School districts consult with stakeholders to complete supplemental application
- ESSER III supplemental application submitted by due date (TBD)

Next Steps

- The ESSER III “ Initial Application” will be posted on the NDDPI [website](#) today. Districts submit this form to dpiasstsupt@nd.gov.
- The ESSER III grant awards will become available on May 24, 2021 (two-thirds of the award).
- The district authorized representative who is registered in WebGrants will receive an email notification of this grant. Authorized representatives will then need to log into WebGrants to electronically sign the contract, which is also referred to as the grant award.
- Once the “Initial Application” is received and the contract/grant award is signed, the authorized representative, the business manager, and the school board president will receive an email with an approval notice.

Capital Expenses Requests

- Recipients of federal funds must get prior written approval before spending funds on **capital expenditures**. (2 CFR § 200 436 (b)(1)). Capital expenditures include the funds an entity spends to buy, maintain, or improve its fixed assets, such as buildings, vehicles, equipment, or land. The standard threshold for getting prior approval is \$5,000.
- This [SFN 61974](#) can be submitted to Lisa Johnson at lisaajohnson@nd.gov.
- Districts will also need to submit [SFN 52304](#) (School Construction Approval Request) for any requests in excess of \$150,000 to Adam Tescher at atescher@nd.gov.
- The NDDPI will begin to process capital expense forms for ESSER III on May 24, 2021, for districts that have submitted their “Initial Application” and signed their contract/grant award.

QUESTIONS?

Questions regarding the ESSER III “Initial Application” should be directed to:

Laurie Matzke
Assistant Superintendent
lmatzke@nd.gov
(701) 328-2284

Lisa Johnson
Project Manager
lisaajohnson@nd.gov
(701) 328-2824