

LEA Use of Funds – ESSER I, II, and III

A local educational agency that receives funds under this title may use the funds 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 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 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) 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.
- 13) 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.
- 14) 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.
- 15) 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.
- 16) Developing strategies and implementing public health protocols to align with the guidance from the CDC for the reopening and operation of school facilities to effectively maintain the health and safety of students, educators, and other staff.
- 17) Additional Pay – for example, a local educational agency (LEA) might use local ESSER funds to provide employees with additional pay to: address recruitment or retention challenges in light of the pandemic; provide additional compensation to teachers and other staff that work in-person; provide additional compensation to teachers and other staff that have assumed new duties because of COVID; incentivize effective teachers to move to schools with vulnerable students that have been disproportionately impacted by the pandemic, or provide additional pay to substitute teachers where there is a shortage. Other pay strategies could also be permissible if the LEA can connect the strategy to issues resulting from COVID-19.
- 18) Transportation – An LEA could use local ESSER funds for a variety of transportation costs like running additional bus routes with fewer students to permit physical distancing and where appropriate, reimbursing families for mileage expense, if families provide transportation.

- 19) High Quality Instructional Materials and Curricula and Related Professional Development – for example, an LEA could use local ESSER funds to purchase a new, evidence-based K-2 reading curriculum districtwide and related professional development to address unfinished learning and accelerate early literacy skills; districtwide curriculum with both online and in-person options; additional materials and teacher training to implement Advanced Placement (AP) classes in schools, and where necessary provide additional support so that all students, particularly vulnerable students, can access and succeed in AP classes, social and emotional learning programs; Multi-Tier System of Support (MTSS) materials, such as Tier 2 and Tier 3 interventions aligned to strong Tier 1 curriculum, as well as related screening tools; and career and technical education programming.
- 20) Acquisition of Real Property or Modular Classrooms – an LEA could use local ESSER funds to acquire real property or modular classrooms if needed to respond to COVID-19. For example, additional space might help an LEA to re-open schools in-person consistent with CDC guidelines.
- 21) Construction and Renovation – ESSER funds can be used for construction and renovation costs when reasonable and necessary to prevent, prepare for, and respond to the COVID-19 pandemic. For example, an LEA might use ESSER local funds to undertake construction or renovation to help an LEA to clean effectively, like bringing an unused wing of a school into compliance with fire and safety codes to create more space.
- 22) Budgetary Shortfalls – ESSER local funds can be used to assist with budget shortfalls resulting from the pandemic. Specifically, as with all uses of ESSER I or II funds, a proposed use of funds must be “to prevent, prepare for, and respond to” COVID-19. This Means that ESSER funds may be used to bridge budget shortfalls if the deficit is related to the coronavirus and the ESSER funds are needed for education-related expenses.