



Questions from ESSER Business Manager Training on March 9, 2021

Q: To whom do we submit the new Capital Expense form at the North Dakota Department of Public Instruction (NDDPI)?

A: Email the Capital Expense form to lisaajohnson@nd.gov.

Q: What should be submitted regarding the design for construction activities?

A: A new "Capital Expenditures" tab has been created on the ESSER I website. Several guidance documents have been posted, including information on the design needed for construction activities.

Q: What type of time and effort log would be needed for someone who has an additional contract for the COVID workload?

A: Districts with employees who are working on more than one cost initiative and are paid with more than one funding source will be required to maintain daily time and effort log, such as those done for Special Ed or Title I. An example of acceptable documentation would be paperwork or a calendar which shows the number of hours staff spent working on ESSER-related duties along with a description of those duties.

Q: Is there new guidance regarding claiming administrative costs?

A: As of now, there has been no change for indirect costs and administrative costs. If there are extra duties being performed above and beyond those within the normal job description, it would be permissible, even if it's administrative, to do a workload adjustment. Additional pay would be allowed as long as documentation is provided.

Q: If ESSER I funds have been fully spent, are districts still required to submit quarterly status reports?

A: No. Not after the corresponding status report has been completed.

Q: Updated guidance for non-public equitable services came out after some expenditures were used for permanent installation projects. Districts are not able to uninstall these projects so how do we proceed?

A: The NDDPI recognizes the guidance regarding equitable services changed throughout the timeframe of March to September of 2020. At the beginning of the grant period, the NDDPI was told equitable services would be reimbursed for the same activities as public-school services. Around August or September, the NDDPI received stricter guidance for allowable uses as well as an updated formula for allocations. It is recommended that districts with those type of expenses on their ledgers visit with the NDDPI because there

is a clause that districts will need to cite on their local records that indicates the NDDPI and the districts were acting on their best faith efforts at the time the purchases were made. The guidance stated allowable activities for nonpublics were the same as the public-school activities. Also, the budget amount was based on the United States Education Department (USED) guidance. There is a citation that will help districts in an audit to document the reason a permanent fixture was installed. Questions regarding equitable services allowable uses and allocations may be directed to [Ann Ellefson](#).

Q: Expense codes will be different for ESSER II and III, but how do districts show it in their budgets? Districts may be getting large amounts in ESSER III, so if districts don't spend it all will it be considered carryover/excess in districts' general funds?

A: Since these funds are on a reimbursement basis, they would not directly end up in the district's ending balance. However, the funds may cause an indirect problem as districts may have spent on items that previously were going to be paid for with general funds, but instead were paid for with ESSER funds; therefore, the district did not spend as many general funds as it had anticipated. The North Dakota legislature is looking at bills that may raise the ending balances. Any general fund balances would be put on a moratorium. There have been some proposed amendments to bills to allow for some delays or moratoriums but so far, none of them have been adopted. There will be more discussion regarding this matter after crossover. As of right now, the only thing that is affecting the ending fund balance offset that has been passed by the House is impact aid which will not be counted towards the ending fund balance.

Q: Is there a deadline as to when districts need to draw down the funds?

A: The end of the grant period for ESSER I funds is September 30, 2022. Additional guidance will be provided as that date nears. ESSER I funds should be spent before ESSER II and III funds.

Q: Will ESSER II and III go to private schools?

A: The ESSER II and III grants do not have an equitable services provision. Instead, there is a separate program called Emergency Assistance for Non-Public Schools (EANS) which provides funding to address COVID-related issues for nonpublic schools.

Q: Will there be separate project codes for ESSER II and ESSER III?

A: Yes. There will be separate project codes for ESSER I, II, and III. All other coding will remain consistent.

Q: If a school was in-person starting in August 2020 and not distance or hybrid, would it be acceptable to pay staff for being in-person vs. distance learning?

A: The new guidance allows certain payments such as retention or in-person bonuses, as long as sufficient justification is provided and they are COVID-related.

Q: What is meant by 'temporary retention adjustment' for staff salaries?

A: An example would be an increased salary for a staff member in an in-demand position, such as a school nurse. The new guidelines would allow extra wages to be paid to an individual in such a position for the extra time and extra work expended. This would be considered a retention tool since someone in this position might leave their job for more lucrative work in the private sector or a different entity.

Q: What are the guidelines for paying substitute teachers?

A: Salary guidelines for substitute teachers is a local decision and would depend on the district's policy. Time and effort requirements would still need to be met for full-time substitute teachers who are split-funded (being paid from more than one cost initiative). As a reminder, payment of substitute teachers is not allowed with equitable services to nonpublic schools.

Q: Would it be allowable to give additional pay to teachers that are teaching in-person and also preparing for distance learning or kids in quarantine?

A: Yes, this could be allowable. Districts should provide documentation on the duties performed and justification as to how the payment of extra salary is COVID-related.

Q: Why have ESSER II funds been held up by the North Dakota legislature while most of the other states have released the funds to the schools already?

A: ESSER II funds were awarded to states while the North Dakota legislature is in session; therefore, the funding must go through the North Dakota legislature to be approved. The funds are part of House Bill 1394 and must be approved by both the House and the Senate before being signed by Governor Burgum. When the legislature is not in session, funding goes through an approval process with the Emergency Commission and the Interim Legislative Budget Section, which would be a quicker process.

Q: Is it anticipated that ESSER III funds will also be put into HB 1394?

A: Yes.

Q: Could teachers be given a retention bonus by saying they were going to leave the profession due to COVID fear but stayed and will now receive a retention bonus? This is going to be a real challenge.

A: Yes. Based on current guidance, the NDDPI believes this would be an allowable expenditure. It is important to provide documentation and justification that the expense is COVID-related. The NDDPI advises against putting these funds into employees' base salaries due to the temporary nature of the funding.

Q: Can added pay be used for superintendents or business managers?

A: Yes. If justification can be provided that extra COVID-related duties were performed, this would be an allowable expense.

Q: Are there ESSER III allocations estimates available yet?

A: Currently, there are no ESSER III allocations publicly available.

Q: Does the North Dakota century code contain information that districts would need to meet regarding bonuses?

A: Yes. Section 15.1-09-33.1. (School board authority for payment of signing bonuses.)

Q: What will this federal money do to districts' audit requirements?

A: The federal monies could push districts over the \$750,000 threshold, so districts may be required to have a single audit completed.