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Federal Pandemic Relief Funding for PreK-12 Education: Updates in 30 Minutes or Less

January 2022



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OVERVIEW of PROGRAMS



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Pandemic Relief Funding for PreK-12 Education - Three Funding Packages



**Coronavirus Aid, Relief, and
Economic Security (CARES) Act**
March 2020

**Coronavirus Response and Relief
Supplemental Appropriations
(CRRSA) Act**
December 2020



American Rescue Plan (ARP) Act
March 2021



Multiple PreK-12 Funding Programs

	CARES Act	CRRSA Act	ARP Act
Elementary and Secondary School Emergency Relief (ESSER)	X	X	X
Governor's Emergency Education Relief (GEER)	X	X	
Coronavirus Relief Fund (CRF)	X		
Emergency Assistance for Non-Public Schools (EANS)		X	X
Coronavirus State and Local Fiscal Recovery Fund (CSLFRF)			X



ESSER Periods of Performance

OMEGA Project Group and Project (LEA Formula Funds)	Period of Performance	Deadline to Submit OMEGA Reimbursement Requests to VDOE
CARES Act ESSER I APE60177	March 13, 2020 - September 30, 2022	November 15, 2022
CRRSA Act ESSER II APE50195	March 13, 2020 - September 30, 2023	November 15, 2023
ARP Act ESSER III APE50193	March 13, 2020 - September 30, 2024	November 15, 2024



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UPDATES



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ARP ESSER III State Set-Aside Application Process

- [Superintendent's Memo #291-21](#) announced the ARP Act ESSER III competitive application process for three programs
- Applications were due December 1, 2021
- All applications have been reviewed at OMEGA Level 5; applications that were returned for revisions were due on January 7, 2022
- Application requests far exceeded the available funding
 - **Summer Learning - 66 applications, \$79 million requested**
 - **Before and After School - 77 applications, \$66 million**
 - **Addressing Unfinished Learning - 77 applications, \$192 million**
- Notification of awards is anticipated at the end of January



Program Monitoring

- [Superintendent's Memo #321-21](#) announced program monitoring for certain federal pandemic relief programs:
 - ESSER I, II, and III formula grants
 - ESSER I and Governor's Emergency Education Relief (GEER) I state set-aside grants
 - ESSER II state set-aside grants
- 2022 monitoring will occur in two rounds - winter/spring and summer
- All monitoring will be conducted virtually
- The Office of Federal Pandemic Relief Programs will host a webinar on **Wednesday, January 12, 2022 at 2:00 p.m.** to discuss the monitoring process and protocol documents
- The webinar is intended for school divisions that will participate in winter/spring 2022 monitoring, but is open to all divisions



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Winter/Spring 2022

- Bath
- Charlottesville
- Chesapeake
- Franklin County
- Frederick
- Greene
- Hanover
- Loudoun
- Pittsylvania
- Portsmouth
- Roanoke City
- Spotsylvania
- Suffolk
- Sussex
- Tazewell
- Warren
- Wise



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Summer 2022

- Alexandria
- Amherst
- Arlington
- Carroll
- Danville
- Department of Juvenile Justice
- Dinwiddie
- Galax
- Henrico
- Lynchburg
- Madison
- Norfolk
- Stafford
- Virginia Beach
- Washington
- Waynesboro
- Williamsburg-James City



Post Secondary Special Education Support: One-year High School Extensions for Certain Students with Disabilities

- General Assembly Appropriations:
 - \$6.5 million in ESSER II funds to support one additional year of high school attendance for students with disabilities reaching age 22 after September 30, 2020, and who were scheduled to complete high school in spring of 2021 to attend high school for the duration of the 2021-22 school year
 - \$3.5 million in ESSER III funds to support special education private day school costs for eligible students
- [Superintendent's Memo #248-21](#) announced the Postsecondary SPED support survey, which was due on September 10, 2021
- December 22, 2021: Superintendent's Email to superintendents in divisions with identified eligible students that are planning to seek approval for reimbursement of funds
- The deadline to submit applications in OMEGA is **January 14, 2022**



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ARP Act ESSER Local Plans for the Safe Return to In-Person Instruction and Continuity of Services - Six Month Review Requirement

Per section 2001(i) of the ARP Act and USED's Interim Final Rule:

- School divisions must periodically review and update as necessary local plans for the Safe Return to In-Person Instruction and Continuity of Services as a requirement of receiving ARP Act ESSER formula funds
- During the plan review process, school divisions must seek public comment on their local plans and must take such comment into account when considering plan revisions
- The review process must occur at least every six months through September 30, 2023



ARP Act ESSER Local Plans for the Safe Return to In-Person Instruction and Continuity of Services - Six Month Review Requirement, continued

- [Superintendent's Memo #302-21](#) reminded school divisions of the six month review requirement.
- A Superintendent's Email was released on December 13, 2021 to provide the [link to a web-based survey](#) that must be completed to certify compliance with the local plan review requirement. When completing the survey, school division staff will need to:
 - **Provide the date by which the local plan review was completed; and**
 - **Indicate if revisions were made to the plan as a result of the review process.**
- The survey window is now open and will be available to school divisions until **Friday, January 14, 2022.**



Updated Guidance on the ARP Act Maintenance of Equity (MOEquity) Requirements

- SEA and LEA MOEquity provisions are included in the ARP Act
- There are two requirements at the LEA level:
 - An LEA may not disproportionately reduce state and local per-pupil funding in high-poverty schools (fiscal equity)
 - An LEA may not disproportionately reduce the number of full-time-equivalent (FTE) staff per-pupil in high-poverty schools (staffing equity)
- LEAs may calculate MOEquity **divisionwide** or by **grade span**

Reference: [U.S. Department of Education \(USED\) Frequently Asked Questions on MOEquity](#)



Time Period

The MOEquity provisions apply to FY 2022 and FY 2023

	State Fiscal Year	School Year
FY 2022	July 1, 2021-June 30, 2022	2021-2022
FY 2023	July 1, 2022-June 30, 2023	2022-2023



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Requirement 1 - Per-Pupil Funding

Under section 2004(c) of the ARP Act, for each school identified by the LEA as a **high-poverty school**, the LEA may not, in FY 2022 or 2023–

Reduce per-pupil funding (from combined state and local funding) by an amount that exceeds the total reduction, if any, in LEA per-pupil funding for all schools served by the LEA in such fiscal year



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Requirement 2 - FTE Staff

Under section 2004(c) of the ARP Act, for each school identified by the LEA as a **high-poverty school**, the LEA may not, in FY 2022 or 2023–

Reduce the number of FTE staff per-pupil by an amount that exceeds the total reduction, if any, in FTE staff per-pupil in all schools served by the LEA in such fiscal year



Determining LEA Maintenance of Equity for FY22

- School divisions submitted their lists of high poverty schools to VDOE in September 2021
- USED offered an exception from the FY22 requirement for school divisions that did not reduce aggregate state and local per pupil funding from FY21 to FY22
- Most LEAs qualified for the exception
- The VDOE will work LEAs that are not excepted from MOEquity to complete the calculation process for FY22 and will report MOEquity information as required by USED



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Determining LEA Maintenance of Equity for **FY23**

- On December 29, 2021, USED issued updated MOE equity guidance
- As with FY22, USED will offer an exception from the FY23 requirement for school divisions that did not reduce aggregate state and local per pupil funding from FY22 to FY23
- The VDOE will establish a timeline to collect FY23 MOE equity exception certifications from LEAs that qualify



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Using ESSER Funds to Support Staff Recruitment and Retention

USED's May 2021 guidance on the uses of GEER and ESSER funds permits the use of ESSER and GEER funds to provide "premium pay"

D-6. May an LEA use ESSER and GEER funds to provide "premium pay" or other additional compensation for teachers, principals, and other school personnel, including school nutrition staff and custodians?

Yes. Premium pay must be **reasonable and necessary and consistent with **2 CFR § 200.430(f)**, and **given pursuant to an established plan** (which could be established in response to the COVID-19 pandemic), consistent with applicable collective bargaining agreements and other relevant policies and requirements.**



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Using ESSER Funds to Support Staff Recruitment and Retention, slide 2 of 3

[2 CFR Section 200.430\(f\)](#) specifies conditions under which incentive compensation is permitted.

Incentive compensation. Incentive compensation to employees based on cost reduction, or efficient performance, suggestion awards, safety awards, etc., is allowable to the extent that the overall compensation is determined to be **reasonable** and such costs are paid or accrued pursuant to an **agreement** entered into in good faith between the non-Federal entity and the employees before the services were rendered, or **pursuant to an established plan** followed by the non-Federal entity so consistently as to imply, in effect, an agreement to make such payment.



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Using ESSER Funds to Support Staff Recruitment and Retention, slide 3 of 3

On December 16, 2021, the U.S. Secretary of Education issued a [Dear Colleagues Letter](#) on using ARP ESSER funds to address educator shortages:

*The most common reason educators have cited for leaving school employment in the last year is stress, followed by insufficient pay. Many school leaders are increasing wages by offering hiring and retention bonuses, working towards permanent salary increases, or providing premium pay that help educators receive the compensation they deserve and keep them in the profession, and we encourage others to continue to work towards increasing compensation. **Hiring and retention bonuses** may provide additional relief from some of the stresses caused by COVID-19. While some districts have expressed concern about investing in increasing compensation with short-term recovery funds, our nation's children need support now, and many states and districts are already choosing to use ARP ESSER funds to address immediate shortage needs.*



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Final Thoughts

- For all pandemic relief funding applications, LEAs should provide a description of **how expenses address the impacts of COVID-19**
- Reimbursement requests should be submitted in a **timely manner** - spenddown reminders will be issued soon
- The LEA ARP ESSER Plan and Plan for Safe Return to In-Person Instruction and Continuity of Services must be posted on the division's webpage
- The Plan for Safe Return to In-Person Instruction and Continuity of Services six month certification survey is due on **January 14**
- Annual reporting is coming soon
- Check the **Federal Pandemic Relief Programs webpage** for information on ESSER, GEER, and EANS funding



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Contact the Office of Federal Pandemic Relief Programs



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