

ESSER/GEER Extra, Volume 21

This week's [ESSER/GEER Extra](#) includes a reminder of ARP ESSER office hours, a reminder about compliance with Uniform Guidance requirements for the use of ESSER funds, using ARP ESSER funds and other supports to address teacher and staff shortages, Maintenance of Equity (MOEquity) FAQs for school districts, and resources to assist LEAs with learning loss programs.

All editions of [ESSER/GEER Extra](#) are archived on PDE's website, along with FAQs from previous editions of [ESSER/GEER Extra](#).

ARP ESSER Office Hours Continue

PDE is offering regular virtual Office Hours for school districts and charter schools to support finalization and implementation of local ARP ESSER plans. Office Hours will be held every **Monday from 1-2 PM** and every **Thursday from 9-10 AM** through **Thursday, March 17**. Advance registration is required. [Register for PDE Office Hours](#).

Following Proper Procurement Requirements

When using ESSER funds, it is essential that LEAs follow proper procurement standards in accordance with Uniform Guidance. LEAs should consult with their solicitors to ensure compliance with procurement requirements. Adherence to Uniform Guidance requirements will be assessed through audits and as a component of LEA monitoring. LEAs will be held accountable for failure to comply with appropriate procurement requirements.

Cooperative purchasing programs and even sole-source construction or other projects may be utilized in certain circumstances using ESSER funds where compliance with all federal requirements are met. However, the LEA and its solicitor must ensure that such procurement options meet all federal procurement standards prior to proceeding. [Access FAQs on ESSER-related procurement](#).

Using ESSER Funds to Address Workforce Shortages

LEAs are reminded that ESSER funds may be used to address teacher and staff shortages impacted by the pandemic. The U.S. Department of Education (USDE) released guidance outlining how states could use ESSER funds to address staff shortages. [Access the USDE Dear Colleague letter](#).

MOEquity FAQs

Last week, school districts received an email from the ARP ESSER RA-Account with instructions for certifying a relevant exemption from the ARP Act's MOEquity requirement. Below are FAQs relevant to that communication.

What is MOEquity?

As a condition of receiving ARP ESSER funds, the ARP Act requires each school district to maintain equity for each "high-poverty school." Under section 2004(c) of the ARP Act, for each school identified by a school district as a high-poverty school, the school district may not, in fiscal years 2021-22 or 2022-23:

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

- Reduce the number of Full-Time Equivalent (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 district in such fiscal year.

Does MOEquity apply to all LEAs?

No. The ARP Act’s MOEquity requirement applies only to school districts. Other LEAs, including charter schools, are exempt from MOEquity requirements, including the filing of an exemption certification.

What is a high-poverty school?

A "high-poverty school" is a school that is in the highest quartile of schools served by the school district based on the percentage of economically disadvantaged students in the school. Where the MOEquity requirement applies, a school district must identify their high-poverty schools and report that information to PDE.

Are federal ESSER funds included in MOEquity calculations?

No. MOEquity calculations, including the calculation to determine if a limited exemption applies, are focused only on state and local funding. Federal funds are excluded. [Access USDE’s MOEquity guidance.](#)

Does the exemption apply for both years of MOEquity application?

The MOEquity requirement applies for both the 2021-22 and 2022-23 fiscal years. School districts must either comply with the MOEquity requirement or submit a certification of a relevant exemption for each year of MOEquity application. Meaning, if an exemption applies for 2021-22, the school district will need to submit a separate certification for an exemption for 2022-23, if applicable.

What type of documentation is required if an exemption applies?

If an exemption to the MOEquity requirement applies to a school district for 2021-22, USDE advises that these school districts maintain documentation supporting their exception in case it is requested during an audit or monitoring review. For example, if the school district is exempt because it did not implement an aggregate reduction in combined State and local per-pupil funding in FY 2022 [school year 2021-2022] (i.e., is not facing overall budget reductions), then appropriate documentation of that calculation should be maintained.

Does a school district need to submit the form if none of the exemptions apply?

Yes. All school districts must complete the MOEquity form in eGrants. A school district will either certify that a relevant exemption applies for 2021-22 or indicate that no exemptions apply for 2021-22 and that the district will comply with MOEquity requirements. PDE will reach out to those districts that indicate that an exemption does not apply to assist with this requirement.

Learning Loss Resources

The ARP Act requires school districts and charter schools receiving ARP ESSER funds to use at least 20% of their ARP ESSER allocations to address student learning loss and respond to the academic, social, emotional, and mental health needs of students, particularly groups of students disproportionately impacted by the pandemic, through the implementation of evidence-based interventions.

When building, expanding, or enhancing programs, such as summer enrichment and comprehensive after-school programs, the ARP Act requires LEAs to rely on [evidence-based interventions](#). The term

“evidence-based” is defined in section 8101(21) of the Elementary and Secondary Education Act (ESEA) as an activity, strategy, or intervention that:

- Demonstrates a statistically significant effect on improving student outcomes or other relevant outcomes based on:
 - 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”).

As you complete your ARP ESSER application, please consult [PDE’s Evidence Resource Center \(ERC\)](#), which was designed by Pennsylvania educators and some of the nation's foremost education scholars. The ERC identifies strategies backed by rigorous research and allows educators to filter these strategies based on federal evidence tiers, school type or grade level, specific student groups, and other factors. [Access a slide deck to learn more about the ERC.](#)

Additionally, [access USDE's Strategies for Using American Rescue Plan Funding to Address the Impact of Lost Instructional Time.](#)

Contact Us

If you have an ESSER-related question or comment, please send your inquiries to ra-edarpesser@pa.gov.