

## ESSER/GEER Extra, Volume 12

This week's volume of *ESSER/GEER Extra* includes: a reminder of the deadline for submission of ARP ESSER 7% set-aside applications; a list of upcoming Q&A sessions on learning loss and construction; a link to U.S. Department of Education (USDE) guidance on supporting student mental health; and several FAQs regarding the LEA's role in monitoring construction performance, the consequences of supplanting with ESSER funds, and the use of ESSER funds for paving projects.

All editions of *ESSER/GEER Extra* are archived on PDE's website.

### ARP ESSER 7% Set-aside Applications Due November 29, 2021

School districts and charter schools eligible to receive an allocation of the ARP ESSER 7% set-aside for learning loss, summer enrichment, and afterschool programs (as defined by the ARP Act and Act 24 of 2021) have until **Monday, November 29, 2021, to submit applications to PDE.**

The ONLY ARP ESSER application that is due by November 29, 2021 is the 7% ARP ESSER Set-aside (titled *ESSER Fund ARP ESSER 7% Consolidated in eGrants*). *There is no statutory deadline for submission of any other ARP ESSER application.* [Access the ARP funding table.](#)

PDE has developed several resources to assist LEAs with planning for use of the 7% ARP ESSER set-aside:

- [7% ARP ESSER Set-aside Allocations for School Districts and Charter Schools](#)
- [PDE recording on the learning loss component of the 7% ARP-ESSER Set-aside](#)
- [PDE ARP ESSER Guidance on Social and Emotional Learning](#)
- [PDE ARP ESSER Guidance on Reading Improvement for Students](#)

### Upcoming ESSER Webinars

- **Construction Allowability Under ESSER Funds Q&A Session:** As a follow up to the construction webinar on October 20 that had nearly 800 registrants, PDE will sponsor a live Q&A session at **2:00 PM on Tuesday, November 2.** The session will provide additional follow-up on construction-/renovation-related questions and address other questions participants may have. Advance registration is required. [Register for this live session.](#)
- **ARP ESSER 7% Set-aside for Learning Loss:** As a follow-up to the learning loss webinar posted last week and the live Q&A session held on October 26, which had nearly 100 participants, PDE will offer a live Q&A session at **1:30 PM on Wednesday, November 10.** The session will provide school leaders with an opportunity to ask questions and discuss their planned use of these ESSER funds. Advance registration is required. [Register for this live session.](#)

### USDE Releases Guidance on Supporting Student Mental Health

Last week, USDE released guidance to assist LEAs with supporting student social, emotional, behavioral, and mental health needs. The guidance identifies several challenges to providing school- or program-based mental health services to students and provides recommendations to address these challenges. The guidance also includes resources to assist LEAs in implementing the recommendations. [Access USDE's Supporting Child and Student Social, Emotional, Behavioral, and Mental Health Needs Guidance.](#)

### LEA Monitoring of Construction Performance

LEAs engaging in construction or renovation projects using federal ESSER funds must maintain oversight of those projects to ensure that contractors perform the work in accordance with the terms, conditions, and specifications of the contract (see 2 C.F.R. 200.318.(b)). To monitor and ensure performance, LEAs should, at a minimum, conduct on-site technical inspections and maintain certified percentage of completion data.

### **Can an LEA use ARP ESSER funds to supplant other funding?**

While there is no supplement-not-supplant requirement for ESSER funds, an LEA intending to supplant local funding with ESSER funds (assuming the expenditure is an appropriate, allowable use that meets [the three-part test for allowability](#)) must remember that the use of ESSER funds does not override the supplement-not-supplant or maintenance of effort (MOE) requirements of *other* federal programs, such as IDEA and ESEA.

For example, replacing local funds with ESSER funds to support the delivery of special education programs may result in an LEA failing to meet MOE compliance requirements of IDEA. While LEAs may use ESSER funds to support the delivery of special education, this should only be done to supplement the use of state and local funds already allocated to the program. When planning for the use of ESSER funds, LEAs should consider if similar implications exist related to other federal programs.

### **Can an LEA use ESSER funds to repave an existing parking lot or road?**

Probably not. To qualify as an allowable use of ESSER funds, the LEA must ensure that the expenditure meets [the three-part test for allowability](#):

- There must be an articulated eligible use under the ARP Act;
- The expenditure must assist the LEA in preventing, preparing for, or responding to COVID-19; and
- The expenditure must be reasonable and necessary under Uniform Guidance.

In the case of repaving an existing parking lot or road, it may be difficult for an LEA to identify an appropriate COVID-19 connection (i.e., how the repaving assists the LEA in preventing, preparing for, or responding to COVID-19) that would make the expenditure allowable.

If you have further questions on this particular topic, you should reach out to your [regional coordinator in the PDE Division of Federal Programs](#).

### **Tell Us What You're Planning**

As you finalize your 7% ARP ESSER applications, we'd like to learn more about the programs, supports, and resources you're putting in place using the social and emotional learning component of your allocation. We want to share your great ideas with your colleagues across the state. Please send an email to [ra-edarpepper@pa.gov](mailto:ra-edarpepper@pa.gov) so we can reach out to learn more.