

American Rescue Plan Act Elementary & Secondary School Emergency Relief (ESSER III)

American Rescue Plan Act

Congress passed the American Rescue Plan (ARP) Act in March 2021

ARP included a third round of Elementary and Secondary School Emergency Relief Funds (ESSER III)

- ESSER III awards:
 - Nationwide: \$122 billion
 - Texas: \$12.4 billion -- \$1.2 billion (10%) state reservation; \$11.2 billion (90%) to LEAs
 - North East ISD: \$117.1 million
 - Two-thirds, \$78.1 million, available upon receiving Notice of Grant Award from TEA; one-third, \$39 million, available after USDOE approves Texas' ARP plan.

ESSER III Requirements

Create a *Plan for Safe Return to In-Person Instruction and Continuity of Services*

- Plan must include how the District will...
 - maintain the health and safety of educators, students, and other staff
 - address updated CDC safety recommendations
 - ensure continuity of services, including...
 - students' academic needs
 - students' and staff social, emotional, and mental health needs



**NEISD Back-to-School Safety
Plan for Parents**

August 3, 2020 (updated 4/13/21)

ESSER III Requirements

Create a *District ARP ESSER Plan*

- Plan must include how the District will...
 - utilize ESSER funds to implement prevention and mitigation strategies to open (or, in our case, remain open) for in-person instruction
 - use a minimum of 20% of the grant to address the "academic impact of lost instructional time," i.e., learning loss, through evidence-based interventions
 - spend the remaining 80% on one or more of eighteen different allowable areas
 - respond to the needs of students disproportionately impacted by the pandemic
- In developing the plan, the District must engage in meaningful consultation with various stakeholders, including students, families, teachers, administrators, and staff

District ARP ESSER Plan

Although ESSER III funds can be used for a non-supplemental purpose, consideration must be given to the following:

- A shift of local spending to the federal ESSER III fund impacts Every Student Succeeds Act (ESSA) Maintenance of Effort (MOE) calculations
- A shift of local spending related to special education to the federal ESSER III fund impacts Individuals with Disabilities Education Act (IDEA) Maintenance of Effort (MOE) calculations
- MOE ensures that Districts do not reduce local levels of spending on programs that also receive federal funding

District ARP ESSER Plan

Although ESSER III funds can be used for a non-supplemental purpose, consideration must be given to the following:

- Districts must comply with the ARP Maintenance of Equity (MOE) requirements
- A shift of local spending or staffing levels at a high poverty campus to the federal ESSER III fund must be equal to or less than a shift of local spending or staffing levels at a non-high poverty campus
- “High poverty school” as defined by the ARP is the highest quartile of schools based on percentage of economically disadvantaged students
 - Simplistic hypothetical: Larkspur (high poverty) and Stone Oak (not high-poverty) both have seven kindergarten teachers. If the District moves three Larkspur teachers to the ESSER fund but moves no Stone Oak teachers, the District has reduced **local** effort to high poverty schools disproportionately

ESSER III Guidance

Guidance is limited

- The Federal Register's published requirements are "interim" and subject to updates
- TEA's guidance is just one short FAQ
- The District has until July 27, 2021 to submit its application to TEA
 - Pre-award costs are allowable

What About ESSER II?

Congress passed the Coronavirus Response & Relief Supplemental Appropriations (CRRSA) Act in December 2020

CRRSA included a second round of Elementary and Secondary School Emergency Relief Funds (ESSER II)

- ESSER II awards:
 - Nationwide: \$54.3 billion
 - Texas: \$5.5 billion -- \$0.5 billion (10%) state reservation; \$5.0 billion (90%) to LEAs
 - North East ISD: \$48.7 million (estimate)

CRRSA's rules for distribution to LEAs was different than those in the ARP. The Texas Legislature is still considering how to use ESSER II funds

What About ESSER II?

The determination of how to use ESSER II funds will be decided behind closed doors in the SB1 Conference Committee.

It will likely be late May before we learn the result. Although the Comptroller revised revenue estimates to allow \$3.1 billion more spending for the next biennium, SB1 spending exceeded available revenue of the original revenue estimate by more than \$3.1 billion.

[home](#) » [about](#) » [media center](#) » [news](#) » 2021



TEXAS COMPTROLLER OF PUBLIC ACCOUNTS

FOR IMMEDIATE RELEASE

May 3, 2021

Texas Comptroller Glenn Hegar Revises Revenue Estimate, Projects a Fiscal 2021 Ending Balance of \$1.67 Billion More than January Estimate



(AUSTIN) — Texas Comptroller Glenn Hegar today revised the Biennial Revenue Estimate (BRE) and now projects 2020-21 revenue available for general-purpose spending to be \$113.88 billion and the ending balance in General Revenue-Related (GR-R) funds to be \$725 million, an increase of \$1.67 billion from the negative balance projected in the January 2021 BRE.

The increased ending balance, combined with upwardly revised projections of revenue collections for the 2022-23 biennium, results in an estimate of \$115.65 billion available for general-purpose spending in 2022-23, an increase of \$3.12 billion from the January BRE.

In a May 3 letter to state leadership, Hegar said the revisions are based on changes in estimated revenue collections and updated Legislative Budget Board estimates of the state obligation for Foundation School Program (FSP) funding.