

ESEA Office Hours Questions & Answers

May 6, 2021



Q: We are going to submit to have water bottle fillers installed in our schools. We purchased the fillers, so this is the "construction" part which involves going into existing walls and hooking up the fillers. Would this installation be considered construction?

A: It is dependent on the cost and local procurement policies. Capital construction is defined as any new construction, repairs, or alterations. recipients and subrecipients that use ESSER or GEER funds for construction contracts over \$2,000 must meet [Davis-Bacon](#) prevailing wage requirements.

Q: We were told that Davis-Bacon wages and fringe benefits must be met if use of funds for construction. Is that what you understand?

A: Recipients and subrecipients that use ESSER or GEER funds for construction contracts over \$2,000 must meet [Davis-Bacon](#) prevailing wage requirements.

Q: what exactly is a facility school, please?

A: More info about facility schools can be found here along with a list of all facility schools in the state:
<https://www.cde.state.co.us/facilityschools>

Q: I just want to understand that if a construction project have not gone through BEST process which many will not have & it's a back date one, you cannot give upon your review "substantial" approval on that item until UDDOE guidance?

A: Correct.

Q: If we want to submit with construction line items to get written approval do we just put placeholders with amounts to equal the total award amount so that we don't get an error when submitting? Also, would we state in the application that we have received the BEST grant approval?

A: With ESSER I, you have to submit a complete and balanced budget. ESSER II and III applications have no limits for

Q: what is an LEA plan?

A: LEAs must submit LEA ARP ESSER Plans to CDE within 90-days of being awarded funds (~ August 24th). Plans must be developed in consultation with stakeholders at a minimum describe:

- The extent to which and how ARP ESSER funds will be used by the LEA to implement prevention and mitigation strategies that are, to the greatest extent practicable, in line with the most recent CDC guidance,
- How the LEA will use the mandatory 20% set-aside for to address the academic impact of learning loss or "lost instructional time" through the implementation of evidence-based interventions,
- How the LEA will use the remaining ARP ESSER funds consistent with statutory requirements, and
- How the LEA will ensure that the ARP ESSER funded interventions, including but not limited to the 20% set-aside, will respond to the academic, social, emotional, and mental health needs of all students, and particularly those students disproportionately impacted by the COVID-19 pandemic, including students

from low-income families, students of color, English learners, children with disabilities, students experiencing homelessness, children and youth in foster care, and migratory students.

Q: can you repeat the 90 days date from date?

A: The 90 days begins from the date the LEA receives the ARP ESSER III award/substantial approval.

Q: Understanding that it's not likely built in the ESSER 3 application yet, can you still tell us the set-aside code for the "learning loss" so that if we have received substantial approval & are obligating funds that we can code things correctly so that we don't have to go back & do a bunch of reclassing later when we get final approval & are seeking reimbursement.

A: Currently the set aside code is set to the grant code. We are actively updating codes on the application.

Q: Have we received any clarification on allowable expenses for the AU Students with Disabilities that is part of the ESSER II supplemental appropriation?

A: Any allowable activity under ESSER, but must benefit the grant earmarked students, i.e. student with disabilities.

Q: What will the AFR look like for all ESSER grants?

A: The timeframe for Annual Financial Reporting has not yet been determined.

Q: Can we (Charter Network) request substantial approval on the portion of ESSER II that we want to spend in FY21 so that our auditors will feel comfortable with us booking that portion of ESSER II in FY21? If this is possible, should we request this through our LEA?

A: We are working with Grants Fiscal partners to provide guidance.

Q: Has there been any change in the need to post in person learning plans on our website if we have been in-person since the beginning of the year? Also, in the last office hours there was discussion around submitting numbers of students who are fully in-person, hybrid and fully remote. Where do we submit that?

A: If an LEA developed a plan before ARP was enacted that does not address the above requirements, the LEA must revise its plan no later than six months after it last reviewed its plan. Please note that LEAs need to update the Safe Return to In-Person Instruction and Continuity of Services Plan at least every six months through September 30, 2023 and must seek public input on the plan and any revisions, and must take such input into account.

Q: Please review possible wording for ESSER III GEPA statements. Previously, you said a high-level description was fine.

A: The description in your application of steps to be taken to overcome these barriers need not be lengthy; you may provide a clear and succinct description of how you plan to address those barriers that are applicable to your circumstances. In addition, the information may be provided in a single narrative, or, if appropriate, may be discussed in connection with related topics in the application.

Q: We have a charter school that is going to start operating in my district next fiscal year. Are we required to give this new school a proportionate share of any of the district ESSER allocations?

A: Proportionate share language is specific to NPS. ESSER does not require a school level allocation, it is up to the LEA. We will follow up with the Charter School office to clarify and see if there is anything else that should be considered.



Q: Does the 20% ARP ESSER III have to include ALL of the special populations or can the district/LEA choose a some and not all of the groups?

A: We will need to look into this further and take into consideration.

Q: Is there preapproval needed to purchase a minibus?

A: All Capital expenditures need prior approval per CRF 200.439.

Q: This is not to do with ESSER, but for Title - for the non-public school carryover in the ConsApp if our NPS has multiple year carryover - 19-20 & 20-21 do we include multiple year carryover or just 20-21? Concerned that if we include 19-20 because of the end of the funding timeline we won't have access to 19-20 carryover. Trying to advise total amount for our NPS's if this is the case.

A: We will get back to you with further guidance.

Q: If we already submitted ESSER III do we need to go back in and check the new assurances before May 23rd?

A: We will communicate when the additional assurances are available.

Q: We may have the same issue mentioned about Charter School pre-approval of ESSER II for planned construction. If so, can we contact you (Nazie) to discuss?

A: We are researching the topic and will get back to you at future Office Hours. You are welcome to contact us for further guidance.

Q: If the LEA had the charters send them budgets for ESSER II - and we put those into specific line items in the application, is that pre- approval for the Charter's use of funds? (specifically related to construction)?

A: We will contact you directly to determine a plan.

Q: Can districts get a reasonable estimate for the purchase and installation of upgraded HVAC equipment to replace older units, submit this estimate to get approval or do we need a ready to go dated contract to receive approval?

A: You can submit the budget based on an estimate; please provide how the reasonableness was determined.